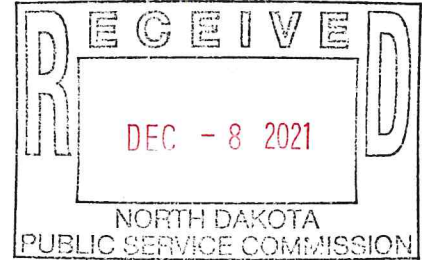


Wade C. Mann  
100 West Broadway, Suite 250  
P.O. Box 2798  
Bismarck, ND 58502-2798  
Office 701.223.6585  
Direct 701.224.7530  
wmann@crowleyfleck.com

December 8, 2021

*Via Electronic Mail & Hand Delivery*

Mr. Steve Kahl  
Executive Director  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480  
[ndpsc@nd.gov](mailto:ndpsc@nd.gov)



In re: Denbury Green Pipeline-North Dakota, LLC  
12-Inch Cedar Hills Pipeline Project  
Slope and Bowman Counties  
Case No. PU-19-294  
Our File No. 025331-000058

Dear Mr. Kahl:

Please find enclosed for filing in the above-captioned matter eleven copies of the Tree and Shrub Mitigation Plan.

If you have any questions, please feel free to contact me. Thank you.

Sincerely,


Wade C. Mann

WCM/lh  
Enc.

cc: Rusty Shaw (via email w/enc.)  
Forrest Hudson (via email w/enc.)

97 **PU-19-294** Filed: 12/8/2021 Pages: 36  
**Tree and Shrub Mitigation Plan**

Denbury Green Pipeline - North Dakota, LLC  
Wade Mann, Crowley Fleck PLLP

The logo for SWCA (Soil Water Conservation Agency) is displayed vertically on the left side of the page. It consists of the letters 'S', 'W', 'C', and 'A' stacked vertically in a large, light blue, serif font.

# Cedar Hills South Unit Lateral Carbon Dioxide Pipeline Project Tree and Shrub Mitigation Plan, Slope and Bowman Counties, North Dakota

DECEMBER 2021

PREPARED FOR

**Denbury Green Pipeline – North  
Dakota, LLC**

PREPARED BY

**SWCA Environmental Consultants**



**CEDAR HILLS SOUTH UNIT LATERAL CARBON DIOXIDE  
PIPELINE PROJECT  
TREE AND SHRUB MITIGATION PLAN,  
SLOPE AND BOWMAN COUNTIES, NORTH DAKOTA**

Prepared for

**Denbury Green Pipeline – North Dakota, LLC**  
5851 Legacy Circle, Suite 1200  
Plano, Texas 75024

Prepared by

**SWCA Environmental Consultants**  
1063 West Horsetooth Road, Building B, Suite 200  
Fort Collins, CO 80526  
(970) 237-4096  
[www.swca.com](http://www.swca.com)

SWCA Project No. 28464.032

December 2021



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## 1 INTRODUCTION

The North Dakota Public Service Commission (PSC) issued Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020, for the Cedar Hills South Unit Lateral Carbon Dioxide Pipeline Project (Project) in Slope and Bowman Counties, North Dakota. As required by the Certification Relating to Order Provisions – Transmission Facility Siting, SWCA Environmental Consultants (SWCA), on behalf of Denbury Green Pipeline – North Dakota, LLC (Denbury), has prepared and is submitting this Tree and Shrub Mitigation Plan (Plan) to the North Dakota PSC.

The purpose of this Plan is to detail the mitigation approach to be supported financially by Denbury in accordance with the North Dakota PSC *Tree and Shrub Mitigation Specifications*, a copy of which is attached as Appendix A. The trees and shrubs (i.e., woody stems) removed during construction of the Project were inventoried in 2018 and 2020 (see Section 2, Tree and Shrub Inventory) and Denbury has committed to replace woody species off-site at a mitigation ratio of two-to-one using trees and shrubs of the same or similar species, except in the case of invasive species and noxious weeds (e.g., buckthorn [*Rhamnus cathartica*], Russian olive [*Elaeagnus angustifolia*], Siberian elm [*Ulmus pumila*], saltcedar [*Tamarix ramosissima*]).

Denbury has coordinated with affected landowners and has provided an opportunity for landowners to waive options to have replacement plantings on their property and allow for mitigation and replanting at an alternate location than the site of disturbance and/or the landowner's property. Agreements to perform off-site mitigation are currently in place with all affected landowners (see Section 3.1, Landowner Agreement). Shrub and tree replacement plantings will be inventoried and documented, and annual inspections of the replacement plantings will be conducted for 2 years. Documentation of the initial inventory and the results of each annual inspection will be filed with the North Dakota PSC. Specifications regarding the tree and shrub inventory, mitigation practices, monitoring, and reporting are discussed in the sections below.

## 2 TREE AND SHRUB INVENTORY

Field surveys of the 75-foot-wide pipeline corridor were conducted on October 11 and 12, 2018, to confirm the presence or absence of woody vegetation. Eighteen tree and shrubland areas were geographically referenced within the survey corridor, and tree and shrub enumeration surveys were conducted from February 17 through 28, 2020. The surveys followed guidance provided by the North Dakota PSC for two types of data collection.

- All trees 1 inch in diameter at breast height (DBH) or greater must be inventoried to record the location, number, and species.
- All shrubs and coniferous trees of any diameter must be inventoried to record the location, number, and species.

The tree and shrub inventory surveys were conducted in two separate survey areas of the 75-foot-wide pipeline corridor: 1) one survey area includes the 50-foot-wide permanent right-of-way (ROW); and 2) the other survey area includes the 25-foot-wide temporary workspace area that is adjacent to the permanent ROW, as well as the additional temporary workspace areas interspersed along the pipeline corridor. Four trees over 1 inch DBH were identified at two locations during the surveys (Table 1). One American elm tree (*Ulmus americana*) and one green ash tree (*Fraxinus pennsylvanica*) were identified in the 50-foot-wide permanent ROW and two green ash trees were identified in the 25-foot-wide temporary

workspace area adjacent to the permanent ROW. Shrubs and coniferous trees were also inventoried and approximately 7,748 individual shrubs were recorded in the permanent ROW survey area and approximately 5,847 individual shrubs were recorded in the temporary workspace survey area (see Table 1).<sup>1</sup>

**Table 1. Disturbed Shrubs and Trees within the Permanent ROW and Temporary Workspace of the Project**

Common Name	Scientific Name	Count Disturbed	Two-to-One Mitigation Count
Silver sagebrush	<i>Artemisia cana</i>	6,433	12,866
Big sagebrush	<i>Artemisia tridentata</i>	2,473	4,946
Green ash	<i>Fraxinus pennsylvanica</i>	3	6
Creeping juniper	<i>Juniperus horizontalis</i>	199	398
Chokecherry	<i>Prunus virginiana</i>	250	500
Skunkbush sumac	<i>Rhus trilobata</i>	16	32
Canadian gooseberry	<i>Ribes</i> sp.	4	8
Woods rose	<i>Rosa woodsii</i>	367	734
Coyote willow	<i>Salix exigua</i>	4	8
Silver buffaloberry	<i>Shepherdia argentea</i>	103	206
Western snowberry	<i>Symphoricarpos occidentalis</i>	3,397	6,794
American elm	<i>Ulmus americana</i>	1	2
Soapweed yucca	<i>Yucca glauca</i>	349	698
<b>Total</b>		<b>13,599</b>	<b>27,198</b>

No coniferous trees were observed in either survey area. No noxious weeds or other invasive species with woody stems were removed. The North Dakota PSC requires two-to-one mitigation for all shrubs and all trees that are 1 inch DBH or greater that will be removed during Project construction and thus approximately 27,198 trees and/or shrubs will be replaced (see Table 1).

### 3 TREE AND SHRUB MITIGATION PLAN

This Plan has been developed to meet and/or exceed the specifications and mitigation criteria provided by the North Dakota PSC in the *Tree and Shrub Mitigation Specifications* (see Appendix A). The overall goal and objectives of the Plan are to offset impacts to woody vegetation from the Project and to replace woody stems removed from construction at a replacement ratio of two-to-one, resulting in the required replacement of approximately 27,198 woody stems. The purpose of the Plan is to create sustainable plantings, appropriate for the local soil and growing conditions, that will provide long-term benefits to landowners, farmers and ranchers, the community, wildlife, and the environment. The following sections demonstrate how Denbury meets and/or exceeds each specification for replacement in the North Dakota PSC *Tree and Shrub Mitigation Specifications* and further details selected projects and approaches for woody stem replacement and mitigation.

<sup>1</sup> In each survey area, a delineated polygon for each contiguous population of shrubs was recorded and the species of shrubs were identified, except for one currant (*Ribes* sp.) species that was not identifiable. Where shrub populations were extensive, both direct and extrapolated counts of the trees and shrubs were completed for each mapped shrub polygon.

### **3.1 Landowner Agreement**

In accordance with the North Dakota PSC *Tree and Shrub Mitigation Specifications* (see Appendix A), landowners within the ROW easement where impacts occurred must be provided the option of mitigation on their property. Denbury has coordinated with affected landowners for off-site mitigation options and agreements are in place that waive options to have replacement plantings on landowners' properties and allow for mitigation and replanting at alternate locations to the site of Project disturbance and/or the landowner's property (Appendix B).

### **3.2 Woody Stem Replacement**

In accordance with the North Dakota PSC *Tree and Shrub Mitigation Specifications* (see Appendix A), woody stems will be replaced at a minimum ratio of two-to-one. Considering that affected landowners have opted for off-site mitigation, Denbury will conduct mitigation at alternate locations to the site of Project disturbance. Upon approval of this Plan by the North Dakota PSC, Denbury will enter into an agreement with the North Dakota Petroleum Foundation (NDPF) to sponsor the Plantings for the Future (PFTF) program to replace the 13,599 woody stems that were removed during the construction of the Project at a two-to-one ratio, resulting in 27,198 plantings.

The NDPF PFTF program is a habitat and conservation program that provides trees and shrubs for large-scale planting projects.<sup>2</sup> The goal of the PFTF program is to work with industry, wildlife groups, and private landowners to create large-scale tree and shrub plantings on private land that will serve as habitat for future generations; this aligns with the purpose of this Plan, which is to create sustainable plantings that will provide long-term benefit to landowners, farmers and ranchers, the community, wildlife, and the environment. This is achieved by the NDPF providing trees at no cost to landowners who are approved for the program. In turn, participating landowners provide in-kind assistance with site preparation, equipment usage, planting, and care and maintenance of plants. Denbury will compensate the NDPF for the cost of the sponsored off-site mitigation projects described below.

#### **3.2.1 Off-Site Mitigation Projects**

The off-site mitigation effort will include eight different NDPF PFTF projects that plant approximately 39,374 woody stems (Table 2). These projects will plant a diversity of woody stems, and species planted vary by project. The list of species planted across the eight projects is provided in Appendix C.

---

<sup>2</sup> North Dakota Petroleum Foundation. 2021. Planting for the Future. Available at: <https://ndpetroleumfoundation.org/programs/plantingforthefuture/>. Accessed November 2021.

**Table 2. Off-Site Tree and Shrub Mitigation Projects in Partnership with the North Dakota Petroleum Foundation**

Project ID	County	Planting Method*	Project Initiation	Project Conclusion	Total Trees Planted	Total Shrubs Planted
406	Dickey	Knifing	May 2021	May 2023	1,500	300
408	Kidder	Scalping	May 2021	May 2023	3,100	250
409	Kidder	Scalping	May 2021	May 2023	3,300	1,550
501	Grant	Knifing	May 2022	May 2024	2,000	-
503	Mountrail	Knifing	May 2022	May 2024	1,384	1,380
510	Morton	Knifing	May 2022	May 2024	3,250	125
514	Stutsman	Knifing	May 2022	May 2024	9,548	8,287
517	Mountrail	Knifing	May 2022	May 2024	3,400	-
<b>Total</b>					<b>27,482</b>	<b>11,892</b>

\* Knifing is used to procure stem cuttings and plant them directly into a cut in the soil. Scalping is used to provide a suitable planting site by removing the top layer of sod usually 1 foot or more wide that may hinder proper woody stem planting and survival due to competition and beetle attacks (i.e., white grubs).

### 3.2.2 Mitigation Surplus

As part of mitigation of Project impacts to woody stems (i.e., removal of trees and shrubs during construction), Denbury is required to replace 27,198 woody stems which represents a two-to-one replacement ratio of the woody stems that were removed during the construction of the Project. Denbury has secured eight different NDPF PFTF projects that will support the planting of approximately 39,374 woody stems over the course of 2 years (2021 plantings and 2022 plantings) (see Table 2). These projects will result in an additional planting of approximately 12,176 woody stems, a 45% surplus of the required mitigation. The additional surplus of woody stem plantings is to further ensure the success of the mitigation projects to meet and/or exceed the mitigation requirements by planting approximately 45% more woody stems than the mitigation effort (i.e., a three-to-one replacement ratio). The additional woody stem plantings, or surplus, further accounts for the uncertainty of these types of restoration projects (e.g., drought, herbivory, husbandry, etc.), providing both additionality and durability of the selected projects and their success.

### 3.3 Monitoring Plan and Reporting

In accordance with the North Dakota PSC *Tree and Shrub Mitigation Specifications* (see Appendix A), monitoring and reporting will occur annually for 2 years at the locations/projects where the woody stems were planted to assess the survival of the plantings. As part of the agreement, the NDPF is responsible for procuring contractors to annually assess survivorship for 2 years past project plantings on behalf of participating landowners. Once the NDPF performs monitoring activities and provides the results of survivorship, Denbury will submit summary reports by October of each year to the North Dakota PSC that document the findings of the site inspections. These reports will be submitted annually for 2 years for a total of two summary reports. Summary reports will include date and time of survey, documentation of survivorship, and any challenges to survivability as assessed by landowners.

## **APPENDIX A**

### **Tree and Shrub Mitigation Specifications**



**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Denbury Green Pipeline – North Dakota, LLC  
12-inch Cedar Hills Pipeline pjct – Slope & Bowman  
Siting Application**

**Case No. PU-19-294**

**Tree and Shrub Mitigation Specifications**

**Inventory**

Prior to cutting or clearing trees or shrubs for construction:

- All trees one-inch or greater in diameter at breast height must be inventoried to record the location, number, and species.
- All shrubs and all coniferous trees of any diameter must be inventoried to record the location, number, and species.

**Clearing**

The maximum width of tree and shrub removal is 50 feet, unless otherwise approved by the Commission.

**Replacement**

1. Landowners must be given the option to have trees and shrubs that are removed from their property replaced on their property. The landowner may waive this option in writing. If the landowner waives this option, the company shall plant replacement trees and shrubs in an alternate location in the same region, if practical.
2. Trees and shrubs must be replaced on a minimum two-to-one basis. The company shall develop a Tree and Shrub Mitigation Plan (Plan) in consultation with landowners who are seeking replacement trees and shrubs and in accordance with USDA-NRCS-North Dakota Field Office Technical Guide: Windbreak and Woodland Tree Care and Management. The guidelines outlined in the Technical Guide shall be followed until filing of the Plan summary outlined in number 5 below.
3. The purpose of the company's Tree and Shrub Mitigation Plan is to 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.
4. The Plan, including the proposed number, variety, type, location, and approximate date for plantings, shall be filed with and approved by the Commission.
5. Two years after completion of the plan, the company must file a summary documenting how the plan achieved the purpose outlined in number 3 above. The summary must also report the number of surviving replacement trees and shrubs.
6. The Commission will consider, on a limited basis as conditions warrant, mitigation plans that provide long-term wildlife habitat and conservation benefits but do not involve the replanting of trees and shrubs.

## **APPENDIX B**

### **Landowner Agreements**





November 1, 2021

Eugene P. and Frances I. Sonsalla  
P.O. Box 924  
Baker, MT 59313

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.SL.0007.000 and CH.ND.SL.0009.000

Dear Eugene P. and Frances I. Sonsalla:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

The Certificate requires Denbury to mitigate the removal of trees and shrubs that occurred during the Project. The Certificate further requires a 2:1 replacement for the trees and shrubs removed. There were approximately 2 trees and 13,595 shrubs removed throughout the entire Project. Accordingly, Denbury plans to have 4 trees and 27,190 shrubs planted and monitored for survivability at an offsite mitigation site. If you agree with Denbury's plan for offsite mitigation, please indicate so by executing this agreement in the space provided below and return to me a fully executed copy.

Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

APPROVED, ACCEPTED AND AGREED TO on this 10 day of Nov, 2021.

  
Eugene P. Sonsalla

  
Frances I. Sonsalla



November 1, 2021

Big Rock ND Easement, LLC  
P.O. Box 63  
Oracle, Arizona 85623

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0022.000

Dear Big Rock ND Easement, LLC:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

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Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this 26 day of November, 2021.

**BIG ROCK ND EASEMENT, LLC**

By: *Gloria J. Mork*  
**GLORIA J. MORK**

Name: Alicia J. Mark

Title: Owner



November 1, 2021

Hadley Brothers, LLP  
3515 Elk River Road  
Billings, Montana 59101

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0011.000

Dear Hadley Brothers, LLP:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

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Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this 15<sup>th</sup> day of November, 2021.

**HADLEY BROTHERS, LLP,**  
a North Dakota limited liability partnership

By: *John Hadley*  
Name: *Hadley Bros. LLP.*  
Title: *Sec/Tres.*



November 1, 2021

Wayne E. and Melva N. Sonsalla  
P.O. Box 3  
Marmarth, North Dakota 58643

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0012.000

Dear Wayne E. and Melva N. Sonsalla:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

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Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

  
Wayne E. Sonsalla

\_\_\_\_\_  
Melva N. Sonsalla



November 1, 2021

Bradley A. Duffield  
207 5<sup>th</sup> Ave NW  
Bowman, North Dakota 58623

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0013.000 and CH.ND.BO.0016.000

Dear Bradley A. Duffield:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

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Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this 5 day of Nov, 2021.

*Bradley A. Duffield*  
\_\_\_\_\_  
Bradley A. Duffield



November 1, 2021

Daniel J. and JoAnne I. Fischer  
P.O. Box 59  
Marmarth, North Dakota 58643

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0014.000 and CH.ND.BO.0019.000

Dear Daniel J. and JoAnne I. Fischer:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

The Certificate requires Denbury to mitigate the removal of trees and shrubs that occurred during the Project. The Certificate further requires a 2:1 replacement for the trees and shrubs removed. There were approximately 2 trees and 13,595 shrubs removed throughout the entire Project. Accordingly, Denbury plans to have 4 trees and 27,190 shrubs planted and monitored for survivability at an offsite mitigation site. If you agree with Denbury's plan for offsite mitigation, please indicate so by executing this agreement in the space provided below and return to me a fully executed copy.


Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this 4 day of Nov, 2021.

  
Daniel J. Fischer

  
JoAnne I. Fischer



November 1, 2021

Scott P. Bradac  
P.O. Box 10  
Marmarth, North Dakota 58643

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0015.000 and CH.ND.BO.0021.000

Dear Scott P. Bradac:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

The Certificate requires Denbury to mitigate the removal of trees and shrubs that occurred during the Project. The Certificate further requires a 2:1 replacement for the trees and shrubs removed. There were approximately 2 trees and 13,595 shrubs removed throughout the entire Project. Accordingly, Denbury plans to have 4 trees and 27,190 shrubs planted and monitored for survivability at an offsite mitigation site. If you agree with Denbury's plan for offsite mitigation, please indicate so by executing this agreement in the space provided below and return to me a fully executed copy.

Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

APPROVED, ACCEPTED AND AGREED TO on this 23 day of Nov, 2021.

*Scott P Bradac*  
Scott P. Bradac



November 1, 2021

Bradley A. Duffield  
207 5<sup>th</sup> Ave NW  
Bowman, North Dakota 58623

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0013.000 and CH.ND.BO.0016.000

Dear Bradley A. Duffield:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

The Certificate requires Denbury to mitigate the removal of trees and shrubs that occurred during the Project. The Certificate further requires a 2:1 replacement for the trees and shrubs removed. There were approximately 2 trees and 13,595 shrubs removed throughout the entire Project. Accordingly, Denbury plans to have 4 trees and 27,190 shrubs planted and monitored for survivability at an offsite mitigation site. If you agree with Denbury's plan for offsite mitigation, please indicate so by executing this agreement in the space provided below and return to me a fully executed copy.

Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this 5 day of Nov, 2021.

*Bradley A. Duffield*  
Bradley A. Duffield



November 1, 2021

Double S-K- Ranch Limited Partnership  
P.O. Box 13  
Bowman, North Dakota 58623

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0018.000 and CH.ND.BO.0020.000

Dear Double S-K- Ranch Limited Partnership:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

The Certificate requires Denbury to mitigate the removal of trees and shrubs that occurred during the Project. The Certificate further requires a 2:1 replacement for the trees and shrubs removed. There were approximately 2 trees and 13,595 shrubs removed throughout the entire Project. Accordingly, Denbury plans to have 4 trees and 27,190 shrubs planted and monitored for survivability at an offsite mitigation site. If you agree with Denbury's plan for offsite mitigation, please indicate so by executing this agreement in the space provided below and return to me a fully executed copy.

Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

APPROVED, ACCEPTED AND AGREED TO on this 9<sup>th</sup> day of Nov., 2021.

**DOUBLE S-K- RANCH LIMITED PARTNERSHIP**

By: Sandra McNeill

Name: for Double S-K Flatness Ranch LP

Title: Partner



November 1, 2021

Daniel J. and JoAnne I. Fischer  
P.O. Box 59  
Marmarth, North Dakota 58643

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0014.000 and CH.ND.BO.0019.000

Dear Daniel J. and JoAnne I. Fischer:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

The Certificate requires Denbury to mitigate the removal of trees and shrubs that occurred during the Project. The Certificate further requires a 2:1 replacement for the trees and shrubs removed. There were approximately 2 trees and 13,595 shrubs removed throughout the entire Project. Accordingly, Denbury plans to have 4 trees and 27,190 shrubs planted and monitored for survivability at an offsite mitigation site. If you agree with Denbury's plan for offsite mitigation, please indicate so by executing this agreement in the space provided below and return to me a fully executed copy.


Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this 4 day of Nov, 2021.

  
Daniel J. Fischer

  
JoAnne I. Fischer



November 1, 2021

Double S-K- Ranch Limited Partnership  
P.O. Box 13  
Bowman, North Dakota 58623

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0018.000 and CH.ND.BO.0020.000

Dear Double S-K- Ranch Limited Partnership:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

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Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

APPROVED, ACCEPTED AND AGREED TO on this 9<sup>th</sup> day of Nov., 2021.

**DOUBLE S-K- RANCH LIMITED PARTNERSHIP**

By: Sandra McNeill

Name: for Double S-K Flatness Ranch LP

Title: Partner



November 1, 2021

Scott P. Bradac  
P.O. Box 10  
Marmarth, North Dakota 58643

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0015.000 and CH.ND.BO.0021.000

Dear Scott P. Bradac:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

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Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this 23 day of Nov, 2021.

  
\_\_\_\_\_  
Scott P. Bradac



November 1, 2021

Todd and Carmel Miller  
P.O. Box 299  
Carson, North Dakota 58529

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.BO.0023.000

Dear Todd and Carmel Miller:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

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Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this 17<sup>th</sup> day of November, 2021.

Todd Miller  
Todd Miller

Carmel Miller  
Carmel Miller



November 1, 2021

Mike H. and Joni G. Sonsalla  
P.O. Box 192  
Marmarth, North Dakota

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.SL.0008.000

Dear Mike H. and Joni G. Sonsalla:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

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Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

**APPROVED, ACCEPTED AND AGREED TO** on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

*Mike H. Sonsalla*

\_\_\_\_\_  
Mike H. Sonsalla

\_\_\_\_\_  
Joni G. Sonsalla



November 1, 2021

Hadley Brothers, LLP  
3515 Elk River Road  
Billings, Montana 59101

RE: Cedar Hills South Unit Pipeline Lateral Project - Tree and Shrub Mitigation Plan  
TRACT#: CH.ND.SL.0010.000

Dear Hadley Brothers, LLP:

The North Dakota Public Service Commission issued the Certificate of Site Compatibility No. 215 and Route Permit No. 225, dated April 1, 2020 ("Certificate"), for Denbury Green Pipeline-North Dakota's ("Denbury") Cedar Hills South Unit ("CHSU") Pipeline Lateral Project in Slope and Bowman Counties, North Dakota ("Project"). As you are aware, part of this Project was on land you own and therefore, Denbury wishes to get your agreement on our mitigation plans regarding tree and shrub removal.

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Sincerely,

*David Anderson*

Dave Anderson  
Land Manager

APPROVED, ACCEPTED AND AGREED TO on this 15<sup>th</sup> day of NOVEMBER, 2021.

**HADLEY BROTHERS, LLP,**  
a North Dakota limited liability partnership

By: *John Hadley*

Name: *Hadley Bros. LLP*

Title: *Sec/TRES.*

## **APPENDIX C**

### **Common Species Planted**



### Common Tree and Shrub Species Planted on the North Dakota Petroleum Foundation Off-Site Mitigation Projects

Common Name	Scientific Name
<b>Trees</b>	
Boxelder	<i>Acer negundo</i>
Silver maple	<i>Acer saccharinum</i>
Ohio buckeye	<i>Aesculus glabra</i>
Hackberry	<i>Celtis occidentalis</i>
Green ash	<i>Fraxinus pennsylvanica</i>
Black walnut	<i>Juglans nigra</i>
Juniper	<i>Juniperus scopulorum</i>
Eastern red cedar	<i>Juniperus virginiana</i>
Common apple	<i>Malus</i> sp.
Black Hills spruce	<i>Picea glauca</i> var. <i>densata</i>
Meyer spruce	<i>Picea meyeri</i>
Colorado blue spruce	<i>Picea pungens</i>
Ponderosa pine	<i>Pinus ponderosa</i>
Scotch pine	<i>Pinus sylvestris</i>
Hybrid poplar	<i>Populus hybrids</i>
Cottonwood	<i>Populus</i> sp.
American plum	<i>Prunus americana</i>
Black cherry	<i>Prunus serotina</i>
Chokecherry	<i>Prunus virginiana</i>
Ussurian pear	<i>Pyrus ussuriensis</i>
Bur oak	<i>Quercus macrocarpa</i>
Sharpleaf willow	<i>Salix acutifolia</i>
Golden willow	<i>Salix alba vitellina</i>
<b>Shrubs</b>	
Juneberry	<i>Amelanchier alnifolia</i>
Black chokeberry	<i>Aronia melanocarpa</i>
Caragana	<i>Caragana arborescens</i>
Seaberry	<i>Hippophae rhamnoides</i>
Western sand cherry	<i>Prunus besseyi</i>
Nanking cherry	<i>Prunus tomentosa</i>
Golden currant	<i>Ribes odoratum</i>
Sandbar willow	<i>Salix exigua</i>
Buffaloberry	<i>Shepherdia argentea</i>
Lilac	<i>Syringa vulgaris</i>

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