

Memorandum

To: Commissioners Kroshus, Fedorchak and Christmann

From: Victor Schock Public Utility Analyst

VS

Date: October 12, 2020

Re: ONEOK Bakken Pipeline, L.L.C., 16-Inch NGL Pipeline – Williams County, Application, Case No. PU-19-368, Tree and Shrub Mitigation Plan

On September 23, 2020 ONEOK Bakken Pipeline, L.L.C. (ONEOK) filed its Tree and Shrub Mitigation Plan (Plan) for the 16-Inch NGL Pipeline in Williams County, known as the Tioga Lateral Pipeline Project (Project). The Project resulted in the removal of 178 trees and 757 shrubs, to be replaced with 356 trees and 1,514 shrubs.

ONEOK's proposed Plan involves sponsoring a specific planting or plantings with the North Dakota Petroleum Foundation's Plantings for the Future Program (Program) that will satisfy the entire 356 tree and 1,514 shrub requirement. In addition, ONEOK will provide landowners that were affected by tree and shrub removal the option to have the same 2:1 ratio plantings replaced on their properties.

The trees and shrubs planted as part of the Program will be monitored and reported to the Commission as per the signed tree and shrub mitigation specifications. However, the trees and shrubs planted on landowner property would not be subject to the same monitoring and reporting. The reason for the difference in the monitoring and reporting is that ONEOK believes the Program plantings are satisfying the mitigation requirement, and therefore additional mitigation provided by the landowner plantings are supplemental and outside of the tree and shrub mitigation requirements.

Staff believes this two part plan will result in a greater number of desirable tree and shrub plantings to occur in North Dakota than would take place under a landowner only replanting scenario similar to those we have seen in the past. Based on this and the other details contained within the Plan, Staff recommends approval of the Plan.