

APPENDIX C

AGENCY MATERIAL CORRESPONDENCE

In addition to informal communication, the following table is a summary of significant communication with federal, state, and local agencies and Tribes.

Table 1. Agency Coordination Dates and Events

Agency	Date	Event
Federal		
Bureau of Indian Affairs	7/27/2012	Project notification letter mailed
	8/7/2012	Meeting with BSSE project team
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
	5/23/2013	Preferred route response
Federal Aviation Administration	7/27/2012	Project notification letter mailed
	9/20/2012	Response received from FAA
	9/25/2012	Project update – corridor notification letter mailed
	12/18/2012	Response from FAA regarding BSSE project mailing. List criteria and procedures required if siting near a public or military airport.
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
Federal Highway Administration, South Dakota Office	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	1/24/2013	Letter and meeting minutes from 1/16/2013 South Dakota interagency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
	5/13/2013	Preferred route response
National Park Service	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	1/24/2013	Letter and meeting minutes from SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
	7/10/2013	Preferred route response

Agency	Date	Event
Natural Resources Conservation Service	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	1/24/2013	Letter and meeting minutes from 1/16/2013 SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	3/22/2013	Email response from NRCS concerning WRP easement along James River
	5/6/2013	Preferred route notification letter sent
	5/23/2013	Response to preferred route
United States Army Corps of Engineers – South Dakota Office	7/27/2012	Project notification letter mailed
	8/13/2012	Project response letter
	8/28/2012	Attendance at interagency meeting for initial suggestions, concerns and overall feedback
	9/25/2012	Project update – corridor notification letter mailed
	1/16/2013	Attendance at South Dakota interagency meeting to provide information on preliminary routes
	1/24/2013	Letter and meeting minutes from SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	2/6/2013	Email from USACE outlining environmental policies/procedures overseen by their agency
	2/13/2013	Letter from USACE concerning Section 10 waters permit guidelines
	5/6/2013	Preferred route notification letter sent
	7/9/2013	Phone conversation stating that previous guidelines sent in 2/13/2013 letter still apply to preferred route
United States Department of Agriculture Rural Development	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
United States Department of Interior, Bureau of Reclamation	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received

Agency	Date	Event
United States Fish and Wildlife Service – South Dakota Ecological Services, Sand Lake Wetland Management District (WMD) and Waubay Wetland Management District (WMD)	7/27/2012	Project notification letter mailed
	7/31/2012	Meeting with BSSE project team (Waubay WMD and Sand Lake WMD staff)
	8/7/2012	Response letter received from Ecological Services Office
	8/28/2012	Attendance at South Dakota interagency meeting for initial suggestions, concerns and overall feedback – Ecological Services and WMD staff
	9/25/2012	Project update – corridor notification letter mailed
	1/16/2013	Attendance at South Dakota interagency meeting to provide information on preliminary routes – Ecological Services and WMD staff
	1/24/2013	Letter and meeting minutes from SD agency meeting sent
	2/4/2013	Email from SD USFWS in response to interagency meeting follow up letter—concerns listing status of skipper species
	2/5/2013	Project update – preliminary route notification mailed
	3/13/2013	Phone conversation discussing when USFWS comments on preliminary route will be submitted to HDR, as well as discussion about NEPA review process for grassland easements.
	3/20/2013	Email comments on the transmission line route selection from USFWS
	5/6/2013	Preferred route notification letter sent
	6/6/2013 and 6/20/2013	Emails from USFWS Waubay WMD containing easement updates along preferred route
	7/24/2013	Preferred route response including comments on easements and listed species
United States Forest Service	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
United States Geological Survey	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received

Agency	Date	Event
Sisseton-Wahpeton Oyate THPO	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	10/2/2012	BSSE project team agency meeting following study area being narrowed to corridors
	2/5/2013	Project update – preliminary route notification mailed
	2/8/2013	Meeting with THPO representatives to discuss preliminary routes
	3/29/2013	Email informing BSSE team the SWO THPO's preference for the Aberdeen route (which was subsequently carried forward as preferred route)
	5/6/2013	Preferred route notification letter sent
	5/7/2013	Meeting with THPO to discuss preferred route
	6/13/2013	Meeting with THPO to discuss preferred route and survey approach
Sisseton-Wahpeton Oyate Fish & Wildlife Office	5/8/2013	Meeting to discuss preferred route
State of South Dakota		
South Dakota Aeronautics Commission	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
South Dakota Bureau of Administration	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
South Dakota Bureau of Finance and Management	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received

Agency	Date	Event
South Dakota Department of Agriculture	7/27/2012	Project notification letter mailed
	8/16/2012	Email response received – no comments
	9/25/2012	Project update – corridor notification letter mailed
	1/16/2013	Attendance at South Dakota interagency meeting to provide information on preliminary routes
	1/24/2013	Letter and meeting minutes from SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
	7/8/2013	Preferred route response – no comments
South Dakota Department of Environmental and Natural Resources	7/27/2012	Project notification letter mailed
	8/15/2012	Response from SD DENR received
	9/25/2012	Project update – corridor notification letter mailed
	1/16/2013	Attendance at South Dakota interagency meeting to provide information on preliminary routes
	1/24/2013	Letter and meeting minutes from SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
	5/29/2013	Preferred route response – general comments
South Dakota Department of Game, Fish and Parks	7/27/2012	Project notification letter mailed
	8/14/2012	Response letter from SD GFP
	8/28/2012	Attendance at interagency meeting for initial suggestions, concerns and overall feedback
	9/25/2012	Project update – corridor notification letter mailed
	10/31/2012	Letter sent from SDGFP requesting shape files once corridors are refined further and routes developed.
	1/16/2013	Attendance at South Dakota interagency meeting to provide information on preliminary routes
	1/24/2013	Letter and meeting minutes from SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
	6/11/2013	Preferred route response

Agency	Date	Event
South Dakota Department of Health	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	1/24/2013	Letter and meeting minutes from 1/16/2013 SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
South Dakota Department of Public Safety, Office of Emergency Management	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
South Dakota Department of Transportation	7/27/2012	Project notification letter mailed
	8/28/2012	Attendance at South Dakota interagency meeting for initial suggestions, concerns and overall feedback
	9/25/2012	Project update – corridor notification letter mailed
	1/24/2013	Letter and meeting minutes from SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
South Dakota Energy Infrastructure Authority	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
South Dakota Farm Bureau	1/24/2013	Letter and meeting minutes from 1/16/2013 SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
South Dakota Geological Survey	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received

Agency	Date	Event
South Dakota Office of Economic Development	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	1/24/2013	Letter and meeting minutes from 1/16/2013 SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
South Dakota Office of Emergency Management	7/27/2012	Project notification letter mailed
	8/9/2012	Response received – providing information on floodplain managers at county level
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
South Dakota Office of Tribal Government Relations	7/27/2012	Project notification letter mailed
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
		No preferred route letter response received
South Dakota State Historic Preservation Office	7/27/2012	Project notification letter mailed
	8/13/2012	Response letter received
	8/28/2012	Attendance at South Dakota interagency meeting for initial suggestions, concerns and overall feedback on the project
	9/25/2012	Project update – corridor notification letter mailed
	1/16/2013	Attendance at South Dakota interagency meeting to provide information on preliminary routes
	1/24/2013	Letter and meeting minutes from SD agency meeting sent
	2/5/2013	Project update – preliminary route notification mailed
	5/6/2013	Preferred route notification letter sent
	6/13/2013	Meeting with SHPO and SWO THPO to discuss preferred route and survey approach
	7/23/2013	Level 1 Records Search report sent to SHPO
	7/30/2013	Letter response to Level I Records Search

Agency	Date	Event
Counties		
Brown County	7/27/2012	Project notification letter mailed
	8/29/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	1/28/2013	BSSE project team presented a routing process webinar
	2/5/2013	Project update – preliminary route notification mailed
	5/24/2013	Preferred route notification email sent
	5/30/2013	Phone conversation with Brown County
Clark County	7/27/2012	Project notification letter mailed
	8/28/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/24/2013	Preferred route notification email sent
Codington County	7/27/2012	Project notification letter mailed
	8/29/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/24/2013	Preferred route notification email sent
Day County	7/27/2012	Project notification letter mailed
	8/29/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	1/28/2013	BSSE project team presented a routing process webinar
	2/5/2013	Project update – preliminary route notification mailed
	4/26/2013	Letter from the Day County Auditor to HDR expressing three townships' opposition to the line
	5/24/2013	Preferred route notification email sent
	5/30/2013	Phone conversation with Day County
Deuel County	7/27/2012	Project notification letter mailed
	8/29/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/24/2013	Preferred route notification email sent

Agency	Date	Event
Grant County	7/27/2012	Project notification letter mailed
	8/29/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	1/29/2013	BSSE project team presented a routing process webinar
	2/5/2013	Project update – preliminary route notification mailed
	5/24/2013	Preferred route notification email sent
	5/30/2013	Phone conversation with Grant County
Hamlin County	7/27/2012	Project notification letter mailed
	8/29/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/24/2013	Preferred route notification email sent
Marshall County	7/27/2012	Project notification letter mailed
	8/30/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	1/29/2013	BSSE project team presented a routing process webinar
	2/5/2013	Project update – preliminary route notification mailed
	5/24/2013	Preferred route notification email sent
Roberts County	7/27/2012	Project notification letter mailed
	8/30/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/24/2013	Preferred route notification email sent
Spink County	7/27/2012	Project notification letter mailed
	8/28/2012	County meeting about routing considerations
	9/25/2012	Project update – corridor notification letter mailed
	2/5/2013	Project update – preliminary route notification mailed
	5/24/2013	Preferred route notification email sent
Cities and Townships		
Notification letters were sent to 90 towns and cities, and 106 townships in South Dakota		



AGENCY LETTERS



July 27, 2012

Name

**RE: Request for Information
Montana-Dakota Utilities Co. and Otter Tail Power Company
Proposed Big Stone South to Ellendale 345kV Transmission Line Project
North Dakota and South Dakota**

Dear ,

(Intro Sentence) The project will require a *Transmission Facility Siting Permit* from the South Dakota Public Utilities Commission (PUC).

Montana-Dakota and Otter Tail Power Company plan to construct a 345kV transmission line in North Dakota and South Dakota and a new Ellendale 345kV Junction Substation in North Dakota. The transmission line will be approximately 150 to 175 miles long. We call it the Big Stone South to Ellendale (BSSE) Project. The transmission line will connect a new Ellendale 345kV Junction Substation, proposed to be located about 1.5 miles west of Ellendale in Dickey County, North Dakota to the proposed Big Stone South Substation, which is part of a separate project and is anticipated to be located near the Big Stone Plant at Big Stone City in Grant County, South Dakota. The Big Stone South Substation is proposed by the Big Stone South to Brookings Project and is not a part of the BSSE Project. The BSSE Project will increase the transfer capacity on the current transmission system, serve as a generation outlet, and add system reliability.

Because the project is in the preliminary planning stages, exact route alternatives have not yet been established. Our consultant, HDR Engineering, Inc. is gathering data to prepare the PUC Application. To assist in project siting and design, we are sending this letter to provide you with the opportunity to review the area. ***We are seeking any comments and supporting information relevant to the study area that would help identify opportunities and constraints for siting the proposed transmission line.*** You can see the project study area on the enclosed map.

To help us identify and evaluate potential resource issues that could be included in the corridor analysis and ultimately the PUC Application, which we expect to submit August 2013, please provide Chad Miller (contact information below) with any information pertaining to the BSSE Project by August 15, 2012.

Montana-Dakota and Otter Tail Power Company – Big Stone South to Ellendale Project
345 kV Transmission Line

July 27, 2012

Also, in the near future, Montana-Dakota and Otter Tail Power Company are planning to host a project information meeting in Pierre, SD or in the Project area. You may also want to attend to share any initial feedback on the project that you may have. Meeting information will be emailed to you or another person that you designate.

If you have questions or comments during your review, or if you would like a GIS file of the study area, please contact Chad Miller at (701) 222-7865 or chad.miller@mdu.com.

Sincerely,

Montana-Dakota Utilities Co.



Henry Ford
Project Developer

Otter Tail Power Company



Dean Pawlowski
Project Developer

Enclosures: Figure 1 - Study Area Map



September 25, 2012

ADDRESS

**RE: Project update with study corridors
Montana-Dakota Utilities Co. and Otter Tail Power Company
Proposed Big Stone South to Ellendale 345 kV Transmission Line Project**

Dear,

This is an update on the Big Stone South to Ellendale transmission line project. You may recall that Montana-Dakota Utilities Co. and Otter Tail Power Company plan to construct a 345 kV transmission line approximately 150 miles to 175 miles long between a new Ellendale Junction substation, proposed to be located near Ellendale in Dickey County, North Dakota, and the proposed Big Stone South substation, which is part of a separate project and will be located near Big Stone City in Grant County, South Dakota. This transmission project will improve reliability, increase system capacity and support public policy by enabling renewable energy to integrate into the system.

Since you received our notification letter we have:

- Launched www.BSSEtransmissionline.com
- Established a toll-free information line at (886) 283-4678.
- Identified study corridors within the study area.

Our project team gathered input at meetings with federal, state, and local agencies on routing constraints and opportunities within the initial study area. This input along with field reviews, data available in the project area, and engineering factors helped to develop study corridors, which are identified on the enclosed map. We evaluated the following criteria:

- Existing rights-of-way (transmission lines, pipelines, railway, or roads), survey lines, and natural division lines.
- Populated areas.
- High densities of environmental natural features.
- River crossing locations.
- Public and private airports.
- Length.

We are seeking information related to the study corridors to help us identify a location for the transmission line. If your jurisdiction is now outside the study corridors, we appreciate your feedback to date and we welcome any additional thoughts you have on the project development.

We will be hosting open house meetings at six locations throughout the study corridors the week of October 15, 2012. The following table provides detailed information for each of the open house meetings. You are welcome to attend and share your feedback with the project team.

Montana-Dakota Utilities Co. and Otter Tail Power Company
Big Stone South to Ellendale Project 345 kV Transmission Line

Monday, October 15	Tuesday, October 16	Wednesday, October 17	Thursday, October 18
5:00 – 7:00 pm Wheaton Library Community Room 901 1 st Avenue North Wheaton, MN 56296	11:00 am – 1:00 pm Milbank Visitor Center Community Room 1001 East 4 th Avenue Milbank, SD 57252	11:00 am – 1:00 pm Dakota Event Center 720 Lamont Street Aberdeen, SD 57401	11:00 am – 1:00 pm Marshall County Meeting Room 909 South Main Street Britton, SD 57430
	5:00 – 7:00 pm The Galley 230 Highway 12 Webster, SD 57274	5:00 – 7:00 pm Fireside Restaurant & Lounge 415 1 st Avenue North Ellendale, ND 58436	

We appreciate your ongoing participation in this project and look forward to continuing to work with you. If you have questions, comments, feedback or would like a GIS file of the study corridors, please contact Chad Miller at (701) 222-7865 or chad.miller@mdu.com.

Chad Miller
Montana Dakota Utilities Co.
400 North Fourth Street
Bismarck, ND 58501-4092

Sincerely,

Montana-Dakota Utilities Co.



Henry Ford
Project Developer

Otter Tail Power Company



Dean Pawlowski
Project Developer

Enclosures: Figure 1 - Study Corridors Map

February 5, 2013

ADDRESS

**RE: Project Update with Preliminary Routes
Montana-Dakota Utilities Co. and Otter Tail Power Company
Proposed Big Stone South to Ellendale 345 kV Transmission Line Project**

Dear,

Montana-Dakota Utilities Co. and Otter Tail Power Company will hold public meetings the week of February 25, 2013, to obtain feedback on the preliminary routes for the Big Stone South to Ellendale 345 kV transmission line project. As you may recall, the project consists of a proposed 345 kV transmission line that will be 150 miles to 175 miles long. The project will be located between the proposed Ellendale Junction substation, which would be located near Ellendale in Dickey County, North Dakota, and the proposed Big Stone South substation, which is part of a separate project and will be located near Big Stone City in Grant County, South Dakota. Construction of this project will improve reliability, increase system capacity and support public policy by enabling renewable energy to integrate into the system. You can find more information by visiting www.BSSEtransmissionline.com or by calling our toll-free information line at (888) 283-4678.

In October 2012, the project team gathered input from federal, state, and local agencies and the public at open house meetings within the initial study area and study corridors. This input along with field reviews, data available in the project area, and engineering factors helped to develop preliminary routes, identified on the enclosed map. The preliminary routes minimize effects upon constraints within the corridors and are the focus of route development. We evaluated the following criteria to identify the preliminary routes:

- Existing rights-of-way (transmission lines, pipelines, railway, or roads), survey lines, and natural division lines
- Populated areas
- High densities of environmental natural features
- River crossing locations
- Public and private airports
- Length

Now we are seeking information related to the preliminary routes and encourage you to attend one of our upcoming meetings. If your jurisdiction is now outside of the updated study corridors that the preliminary routes are located within (see enclosed map), you may not want to continue to provide feedback. If so, we understand and thank you for your earlier involvement. If not, we welcome your continued participation, knowing that we currently are not reviewing route options outside of the updated study corridors.

The project team will hold open house meetings at five locations during the week of February 25, 2013. These meetings will include a brief presentation followed by an open house format during which

attendees may review maps and talk with project specialists. You are welcome to attend and share your ideas with the project team.

Monday, February 25	Tuesday, February 26	Wednesday, February 27
Groton Area School 5:30 – 7:00 pm Presentation at 6:00 pm Groton, SD	Fireside Restaurant and Lounge 11:30 am – 1:00 pm Presentation at 12:00 pm Ellendale, ND	The Galley 11:30 am – 1:00 pm Presentation at 12:00 pm Webster, SD
	Amacher Auditorium 5:30 – 7:00 pm Presentation at 6:00 pm Britton, SD	Milbank Visitor Center 5:30 – 7:00 pm Presentation at 6:00 pm Milbank, SD

We appreciate your ongoing participation in this project and look forward to continuing to work with you. If you have questions, comments or feedback, please contact Chad Miller at (701) 222-7865 or chad.miller@mdu.com or mail him at:

Chad Miller
 Montana-Dakota Utilities Co.
 400 North Fourth Street
 Bismarck, ND 58501-4092

Sincerely,

Montana-Dakota Utilities Co.



Henry Ford
 Project Developer

Otter Tail Power Company

Dean Pawlowski
 Project Developer

Enclosures: Preliminary Routes Map

May 6, 2013

ADDRESS

**RE: Project Update with Preferred Route
Montana-Dakota Utilities Co. and Otter Tail Power Company
Proposed Big Stone South to Ellendale 345 kV Transmission Line Project**

Dear NAME,

Montana-Dakota Utilities Co. and Otter Tail Power Company have selected a preferred route for the proposed Big Stone South to Ellendale 345 kV transmission line project. As you may recall, the line will be 160 miles to 170 miles long and will be routed between a new substation to be located near Ellendale in Dickey County, North Dakota, and Big Stone South substation, which is part of a separate project and will be located near Big Stone City in Grant County, South Dakota. The Mid-Continent Independent System Operator (MISO, formally Midwest Independent Transmission System Operator) identified the need for this transmission line to improve reliability, increase electric system capacity and support public policy by enabling renewable and other forms of energy to integrate into the electric system. You can find more information by visiting www.BSSEtransmissionline.com, calling our toll-free information line at (888) 283-4678, or contacting Chad Miller (information below).

In January, February and March 2013, we gathered input from tribal, federal, state, and local agencies and the public. We discussed routing constraints and opportunities near preliminary routes. Using this input, along with environmental and engineering considerations, the project team developed the preferred route. (See enclosed map. Please note three areas on the map called Additional Route Segments where the project team has not yet identified the preferred route.)

We evaluated the following criteria to identify the preferred route:

- Existing rights-of-way (transmission lines, pipelines, railway, or roads), survey lines, and natural division lines
- Populated areas
- High densities of important natural features
- High densities of cultural properties and sensitive traditional areas
- River crossing locations
- Public and private airports
- Length
- Input from agencies and landowners
- Input from tribes

The project is seeking comments related to the preferred route. If your jurisdiction is now outside of the preferred route, we appreciate your input to date. We are no longer reviewing route options outside of the preferred route; however, you are welcome to continue to provide feedback if you have thoughts on the project. For agencies with jurisdiction or interests within the preferred route, we are requesting comments

Montana-Dakota Utilities Co. and Otter Tail Power Company
Big Stone South to Ellendale Project 345 kV Transmission Line

on any permits or approvals that may be necessary or any other feedback that may affect the design, construction or schedule of the Project. **Particularly, Insert agency-specific language here.**

Please note that Montana-Dakota Utilities Co. and Otter Tail Power Company will be finalizing the route details in the next month in order to submit state routing permit applications in late summer 2013. Therefore, we request response from your office within 30 days of receipt of this letter so that, where feasible and appropriate, we may incorporate them into the application materials and route design. We appreciate your ongoing participation in this project and look forward to continuing to work with you. If you have questions, comments or feedback, please contact Chad Miller at (701) 222-7865, chad.miller@mdu.com, or by mail at the address below.

Chad Miller
Montana-Dakota Utilities Co.
400 North Fourth Street
Bismarck, ND 58501-4092

Sincerely,

Montana-Dakota Utilities Co.



Henry Ford
Project Developer

Otter Tail Power Company



Dean Pawlowski
Project Developer

Enclosures: Preferred Route Map



AGENCY RESPONSES



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Great Plains Regional Office
115 Fourth Avenue S.E., Suite 400
Aberdeen, South Dakota 57401

IN REPLY REFER TO:
DESCRM
MC-208

MAY 17 2013

Chad Miller
Montana-Dakota Utilities Co.
400 North Fourth Street
Bismarck, North Dakota 58501-4092

Dear Mr. Miller:

We received your letter regarding the proposed Big Stone South to Ellendale 345 kV Transmission Line Project. We have considered the potential for both environmental damage and impacts to archaeological and Native American religious sites on lands held in trust by the Bureau of Indian Affairs, Great Plains Region. You should be aware, however, that Tribes or Tribal members may have lands in fee status near the site of interest. These lands would not necessarily be in our databases, and the Tribes should be contacted directly to ensure all concerns are recognized. The action considered has the following notification date and project location:

- May 6, 2013 RE: Project Update with Preferred Route
 Montana-Dakota Utilities Co. and Otter Tail Power Company
 Proposed Big Stone South to Ellendale 345kV Transmission
 Line Project

We have no environmental objections to this action as long as the project complies with all pertinent laws and regulations. Questions regarding environmental opinions and conditions can be addressed to Jeffrey Davis, Environmental Protection Specialist, at (605) 226-7656.

We also find that the listed action will not affect cultural resources on Tribal or individual landholdings for which we are responsible. Methodologies for the treatment of cultural resources now known or yet to be discovered – particularly human remains – must nevertheless utilize the best available science in accordance with provisions of the Native American Graves Protection and Repatriation Act, the Archaeological Resources Protection Act of 1979 (as amended), and all other pertinent legislation and implementing regulations. Archaeological concerns can be addressed to Dr. Carson N. Murdy, Regional Archaeologist, at (605) 226-7656.

Sincerely,

Deputy Regional Director – Indian Services



U.S. Department
of Transportation
**Federal Aviation
Administration**

Federal Aviation Administration
Bismarck Airports District Office
2301 University Drive, Building 23B
Bismarck, ND 58504

September 20, 2012

Mr. Chad Miller
Environmental Scientist
Montana Dakota Utilities
400 North Fourth Street
Bismarck, ND 58501-4092

Re: Montana-Dakota Utilities Company and Otter Tail Power Company
Proposed Big Stone South to Ellendale 345 kV Transmission Line Project
North Dakota and South Dakota

Dear Mr. Miller:

The Code of Federal Regulations (CFR) Title 14 Part 77.9 states that any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA:

- any construction or alteration exceeding 200 foot above ground level
- any construction or alteration:
 - within 20,000 foot of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with its longest runway more than 3,200 foot
 - within 10,000 foot of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 foot
 - within 5,000 foot of a public use heliport which exceeds a 25:1 surface
- any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
- when requested by the FAA

Objects that are considered obstructions under the standards described in this Part 77.17 are presumed hazards to air navigation unless further aeronautical study concludes that the object is not a hazard.

We request you utilize the FAA "Notice Criteria Tool" link on the web at <https://oeaaa.faa.gov> and we request you file notice when the tool determines that FAA requests that you file. The FAA website for obstruction evaluation provides this tool to assist proponents in applying the appropriate slope calculations above and for impacts to Federal airways and airports navigation/communication facilities/equipment (including those which are not located on or near airports).

The Notice of Proposed Construction or Alteration Form 7460-1 may be obtained and filed online at <https://oeaaa.faa.gov>. FAA requires a minimum notice of 45 days prior to construction start; however FAA encourages you provide notice well in advance of construction in order to avoid delays/impacts to your project.

If you require additional information regarding the filling requirements for your project, please contact the appropriate FAA representative using the Air Traffic Areas of Responsibility map for Off-Airport Construction at <https://oeaaa.faa.gov>.

Also, we recommend that the design, construction, and operation of the project and related improvements (including construction, drainages, and operation of the proposal and any potential wetland mitigation or wildlife mitigation sites) do not create a hazardous wildlife attractant to public use airports. Hazardous wildlife and hazardous wildlife separation distances are defined in FAA Advisory Circular (AC) 150/5200-33, Hazardous Wildlife Attractants on or near airports.

If you are uncertain if the proposed development will cause a wildlife hazard for airports, we recommend you consult with the United States Department of Agriculture, APHIS, Wildlife Services or another qualified wildlife biologists. We recommend any wildlife biologist consulting on a matter such as this, meet the qualifications identified in FAA Advisory Circular 150/5200-36, "Qualifications for wildlife biologist conducting wildlife hazard assessments and training curriculums for airport personnel involved in controlling wildlife hazards on airports".

Sincerely,



Patricia L. Dressler
Environmental Protection Specialist



U.S. Department
of Transportation
**Federal Aviation
Administration**

Federal Aviation Administration
Bismarck Airports District Office
2301 University Drive, Building 23B
Bismarck, ND 58504

December, 18, 2012

Mr. Chad Miller
Environmental Scientist
Montana Dakota Utilities
400 North Fourth Street
Bismarck, ND 58501-4092

Re: Big Stone South to Ellendale Project Update
Montana-Dakota Utilities Company and Otter Tail Power Company
Proposed Big Stone South to Ellendale 345 kV Transmission Line Project

Dear Mr. Miller:

The Federal Aviation Administration (FAA) Bismarck Airports District Office has reviewed your update dated September 25, 2012.

The Code of Federal Regulations (CFR) Title 14 Part 77.9 states that any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA:

- any construction or alteration exceeding 200 foot above ground level
- any construction or alteration:
 - within 20,000 foot of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with its longest runway more than 3,200 foot
 - within 10,000 foot of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 foot
 - within 5,000 foot of a public use heliport which exceeds a 25:1 surface
- any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
- when requested by the FAA

Objects that are considered obstructions under the standards described in this Part 77.17 are presumed hazards to air navigation unless further aeronautical study concludes that the object is not a hazard.

FAA requests that you utilize the FAA "Notice Criteria Tool" link on the web at <https://oeaaa.faa.gov> for each structure and we request you file notice when the tool determines that FAA requests that you file. The FAA website for obstruction evaluation provides this tool to assist proponents in applying the appropriate slope calculations above

and for impacts to Federal airways and airports navigation/communication facilities/equipment (including those which are not located on or near airports).


The Notice of Proposed Construction or Alteration Form 7460-1 may be obtained and filed online at <https://oeaaa.faa.gov>. FAA requires a minimum notice of 45 days prior to construction start; however FAA encourages you provide notice well in advance of construction in order to avoid delays/impacts to your project.

If you require additional information regarding the filling requirements for your project, please contact the appropriate FAA representative using the Air Traffic Areas of Responsibility map for Off-Airport Construction at <https://oeaaa.faa.gov>.

Also, we recommend that the design, construction, and operation of the project and related improvements (including construction, drainages, and operation of the proposal and any potential wetland mitigation or wildlife mitigation sites) do not create a hazardous wildlife attractant to public use airports. Hazardous wildlife and hazardous wildlife separation distances are defined in FAA Advisory Circular (AC) 150/5200-33, Hazardous Wildlife Attractants on or near airports.

If you are uncertain if the proposed development will cause a wildlife hazard for airports, we recommend you consult with the United States Department of Agriculture, APHIS, Wildlife Services or another qualified wildlife biologists. We recommend any wildlife biologist consulting on a matter such as this, meet the qualifications identified in FAA Advisory Circular 150/5200-36, "Qualifications for wildlife biologist conducting wildlife hazard assessments and training curriculums for airport personnel involved in controlling wildlife hazards on airports".

Sincerely,



Patricia L. Dressler
Environmental Protection Specialist



U.S. Department
of Transportation
**Federal Highway
Administration**

South Dakota Division

May 13, 2013

116 East Dakota Avenue, Suite A
Pierre, South Dakota 57501-3110
Phone: 605-224-7326, Ext. 3047
Ron.McMahon@dot.gov
Fax: 605-224-8307

In Reply Refer To:
HDA-SD

Mr. Chad Miller
Montana-Dakota Utilities Company
400 North Fourth Street
Bismarck, ND 58501-4092

Re: Big Stone South to Ellendale
345kV Transmission Line
Montana-Dakota U & Otter Tail

Dear Mr. Miller:

The Federal Highway Administration (FHWA) has reviewed your May 6, 2013 letter seeking comments related to the preferred route. As previously discussed back in October 2012 and February 2013, FHWA will not be participating. Our State partners would have more interest and input concerning the proposed routes and necessary permits needed.

My understanding is that the State partners have been invited to participate.

If you have any questions, please advise.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron McMahon".

Ron McMahon, P. E.
Project Development Team Leader



REC'D: FHWA-SD

MAY 8 AM 11 10

May 6, 2013

John Rohlf
 South Dakota Federal Highway Administration
 116 East Dakota Ave Suite A
 Pierre, SD 57501

**RE: Project Update with Preferred Route
 Montana-Dakota Utilities Co. and Otter Tail Power Company
 Proposed Big Stone South to Ellendale 345 kV Transmission Line Project**

Dear John,

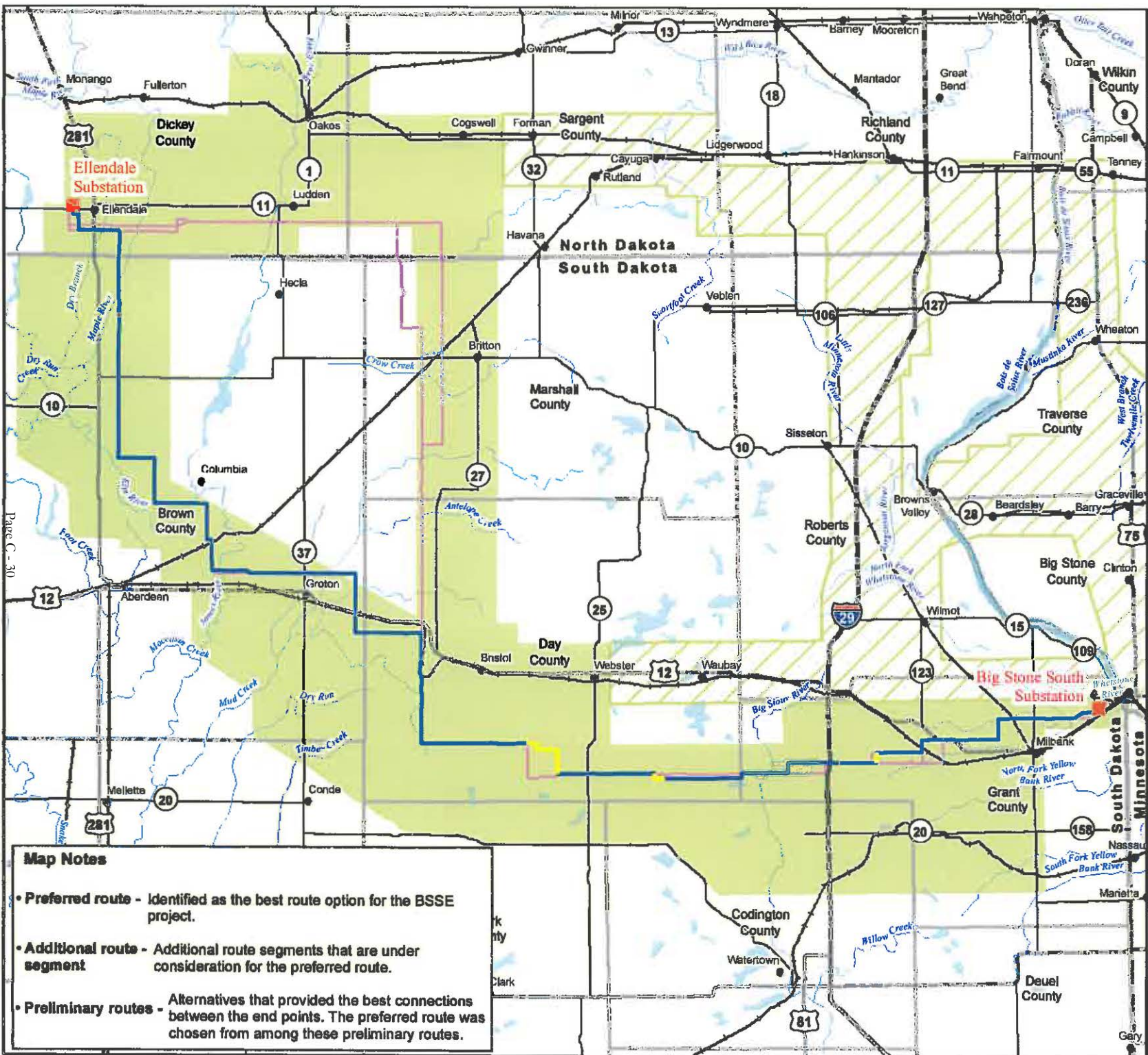
Montana-Dakota Utilities Co. and Otter Tail Power Company have selected a preferred route for the proposed Big Stone South to Ellendale 345 kV transmission line project. As you may recall, the line will be 160 miles to 170 miles long and will be routed between a new substation to be located near Ellendale in Dickey County, North Dakota, and Big Stone South substation, which is part of a separate project and will be located near Big Stone City in Grant County, South Dakota. The Mid-Continent Independent System Operator (MISO, formally Midwest Independent Transmission System Operator) identified the need for this transmission line to improve reliability, increase electric system capacity and support public policy by enabling renewable and other forms of energy to integrate into the electric system. You can find more information by visiting www.BSSEtransmissionline.com, calling our toll-free information line at (888) 283-4678, or contacting Chad Miller (information below).

In January, February and March 2013, we gathered input from tribal, federal, state, and local agencies and the public. We discussed routing constraints and opportunities near preliminary routes. Using this input, along with environmental and engineering considerations, the project team developed the preferred route. (See enclosed map. Please note three areas on the map called Additional Route Segments where the project team has not yet identified the preferred route.)

We evaluated the following criteria to identify the preferred route:

- Existing rights-of-way (transmission lines, pipelines, railway, or roads), survey lines, and natural division lines
- Populated areas
- High densities of important natural features
- High densities of cultural properties and sensitive traditional areas
- River crossing locations
- Public and private airports
- Length
- Input from agencies and landowners
- Input from tribes

The project is seeking comments related to the preferred route. If your jurisdiction is now outside of the preferred route, we appreciate your input to date. We are no longer reviewing route options outside of the



**Preferred Route with
Additional Route Segments
Big Stone South to Ellendale
345 kV Transmission Line Project
North Dakota and South Dakota
May 2013**



- Preferred Route
- Additional Route Segment
- Preliminary Route
- Project End Point
- Study Corridors
- Corridors Not Currently Under Consideration
- Stream
- Lake
- County Boundary
- State Boundary
- Railroad

Map Notes

- **Preferred route** - Identified as the best route option for the BSSE project.
- **Additional route segment** - Additional route segments that are under consideration for the preferred route.
- **Preliminary routes** - Alternatives that provided the best connections between the end points. The preferred route was chosen from among these preliminary routes.



Montana-Dakota Utilities Co. and Otter Tail Power Company
Big Stone South to Ellendale Project 345 kV Transmission Line

preferred route; however, you are welcome to continue to provide feedback if you have thoughts on the project. For agencies with jurisdiction or interests within the preferred route, we are requesting comments on any permits or approvals that may be necessary or any other feedback that may affect the design, construction or schedule of the Project.

Please note that Montana-Dakota Utilities Co. and Otter Tail Power Company will be finalizing the route details in the next month in order to submit state routing permit applications in late summer 2013. Therefore, we request response from your office within 30 days of receipt of this letter so that, where feasible and appropriate, we may incorporate them into the application materials and route design. We appreciate your ongoing participation in this project and look forward to continuing to work with you. If you have questions, comments or feedback, please contact Chad Miller at (701) 222-7865, chad.miller@mdu.com, or by mail at the address below.

Chad Miller
Montana-Dakota Utilities Co.
400 North Fourth Street
Bismarck, ND 58501-4092

Sincerely,

Montana-Dakota Utilities Co.



Henry Ford
Project Developer

Otter Tail Power Company



Dean Pawlowski
Project Developer

Enclosures: Preferred Route Map

From: [Miller, Chad](#)
To: [Hyland, Emily](#)
Cc: [Hunker, Brian M.](#)
Subject: FW: BSSE Transmission Line - response requested to preferred route mailing
Date: Wednesday, July 10, 2013 12:41:09 PM
Attachments: [BSSE_Fig1_8X11_PrefererRoute_AgencyNotification_20130430.pdf.pdf.pdf](#)

Sincerely,

Chad Miller

From: Beu, Jane [mailto:jane_beu@nps.gov]
Sent: Wednesday, July 10, 2013 12:39 PM
To: Miller, Chad
Cc: Jane_beu
Subject: Fwd: BSSE Transmission Line - response requested to preferred route mailing

Chad -

We did receive and review your earlier correspondence regarding the Montana-Dakota Utilities Co. and Otter Trail Power Company. Our office receives more than 2,000 of these early coordinations every year and unfortunately we do not have the staff to responde to each inquiry. If we would have concerns you would hear from out office within 30 days.

On this particular project we have no comments.

Thanks you,

Jane G. Beu
 Outdoor Recreation Planner
 National Park Service
 Midwest Regional Office
 601 Riverfront Drive
 Omaha, NE 68102
 402-661-1544
 402-661-1545 (fax)
jane_beu@nps.gov

----- Forwarded message -----

From: **Anderson, Karen** <karen_anderson@nps.gov>
Date: Mon, Jul 8, 2013 at 3:23 PM
Subject: Fwd: BSSE Transmission Line - response requested to preferred route mailing
To: Jane Beu <jane_beu@nps.gov>

You're the PO for SD, aren't you? If not, my apologies.
 But if you are, I believe you review and comment on this action.
 Is Nick Chevance still involved in actions of this sort?

Karen Anderson karen_anderson@nps.gov
 Rivers Trails & Conservation Assistance

National Park Service
 601 Riverfront Dr.
 Omaha, NE 68102
 402-661-1542
<http://www.nps.gov/nrcr/programs/rtca/>

----- Forwarded message -----

From: **Pickle, Joyce E.** <Joyce.Pickle@hdrinc.com>

Date: Mon, Jul 8, 2013 at 3:19 PM

Subject: BSSE Transmission Line - response requested to preferred route mailing

To: "ppicha@nd.gov" <ppicha@nd.gov>, "mary.podoll@nd.usda.gov" <mary.podoll@nd.usda.gov>, "Sam.E.Werner@usace.army.mil" <Sam.E.Werner@usace.army.mil>, "karen_anderson@nps.gov" <karen_anderson@nps.gov>, "patricia.dressler@faa.gov" <patricia.dressler@faa.gov>, "Northdakota.Fhwa@dot.gov" <Northdakota.Fhwa@dot.gov>, "jdschumacher@nd.gov" <jdschumacher@nd.gov>, "jobserv@nd.gov" <jobserv@nd.gov>, "kcwanner@nd.gov" <kcwanner@nd.gov>, "ndda@nd.gov" <ndda@nd.gov>, "sjdavis@nd.gov" <sjdavis@nd.gov>, "Duttenhefner, Kathy G. (kgduttenhefner@nd.gov)" <kgduttenhefner@nd.gov>, "gcfisher@nd.gov" <gcfisher@nd.gov>, "Olson, Paige (Paige.Olson@state.sd.us)" <Paige.Olson@state.sd.us>, "richard.pearson@state.sd.us" <richard.pearson@state.sd.us>, "Bill.Smith@state.sd.us" <Bill.Smith@state.sd.us>, "Sarah.Land@state.sd.us" <Sarah.Land@state.sd.us>, "darin.bergquist@state.sd.us" <darin.bergquist@state.sd.us>, "hunter.roberts@state.sd.us" <hunter.roberts@state.sd.us>, "chris.maxwell@state.sd.us" <chris.maxwell@state.sd.us>

Cc: "Miller, Chad" <Chad.Miller@mdu.com>

Greetings!

On May 6, 2013, Montana-Dakota Utilities Co. and Otter Tail Power Company mailed a letter to your agency regarding their selected preferred route for the proposed Big Stone South to Ellendale (BSSE) 345 kV transmission line project. The BSSE project team is requesting comment from your agency on the preferred route (see the attached preferred route map) prior to the South Dakota and North Dakota state permit application submittals which are anticipated to be submitted starting in late-August. We would appreciate your review of the preferred route and request that you provide any comments by Friday, July 19, 2013 so we may incorporate them into the application materials and route design.

We appreciate your ongoing participation in this project and look forward to continuing to work with you. If you have questions or comments you would like us to address for the BSSE project, please send a hardcopy, email, or .pdf copy of your response to Chad Miller at (701) 222-7865, chad.miller@mdu.com, or by mail at the address below.

Chad Miller
Montana-Dakota Utilities Co.
400 North Fourth Street
Bismarck, ND 58501-4092

Sincerely,

JOYCE PICKLE

HDR Engineering, Inc.
Environmental Project Manager

701 Xenia Avenue South, Suite 600 | Minneapolis, MN 55416
Office: 763.591.5443 | Mobile: 763.567.3406
joyce.pickle@hdrinc.com | hdrinc.com

Current, Rhonda

From: Thompson, Sara - NRCS, Huron, SD <sara.thompson@sd.usda.gov>
Sent: Friday, March 22, 2013 9:45 AM
To: Pickle, Joyce E.
Cc: Hagel, Todd - NRCS, Bismarck, ND; Vander Wilt, Jeffrey - NRCS, Huron, SD; Houge, Brenda - NRCS, Huron, SD
Subject: Infrastructure request: BSSE Transmission line - information and questions
Attachments: Easement Modification Package Checklist Final Draft.xlsx
Importance: High

Hi Joyce,

I have been in contact with our national office regarding the next steps for you to take if routing the transmission line over/on a WRP easement. For WRP easements the easiest process is going to be spanning the easement, since that would only require a subordination agreement and I would think be much easier to get approval for. As I stated earlier, our agency does not have the authority to modify (modification includes subordinating for a ROW) EWPP-FPE easements. Attached is a checklist that I would use to document the request for modification. The main thing is for you to provide your analysis of alternatives and document compelling public need. Also, we could use any existing NEPA documentation you have. Once we have established no alternatives and need then I would go to the USFWS and Conservation District for concurrence. Please take a look at the checklist and give me a call so we can discuss further how to proceed.

As far as costs go, the proponent must agree to cover all costs associated with the modification including restoration, fixing anything disturbed during construction and real estate and legal fees. If you are simply looking for a subordination agreement (spanning the easement), we will not need to address ecological equivalents. However, if you are proposing an actual acreage swap (in the event structures must be placed on the easement we would modify those acres out and add new acres in) we must verify that the land they are adding to the easement is ecologically, and financially, as valuable or more valuable than that which is being removed.

I have copied Todd Hagel on this; he manages the easement programs in ND.

Thanks,

Sara Thompson
 NRCS Easement Programs
 200 Fourth Street SW
 Huron, SD 57350
 (605) 352-1281
 (605) 352-1270 (fax)

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United States Department of Agriculture



Natural Resources Conservation Service
Federal Building, 200 Fourth St. SW
Huron, South Dakota 57350

Phone: (605) 352-1200
Fax: (605) 352-1261

May 16, 2013

Mr. Chad Miller
Montana-Dakota Utilities Co.
400 North Fourth Street
Bismarck, ND 58501-4092

RE: Project Update with Preferred Route
Montana-Dakota Utilities Co. and Otter Tail Power Company
Proposed Big Stone South to Ellendale 345 kV Transmission Line Project

Dear Mr. Miller:

Thank you for the opportunity to provide comments on the above project. The project will have no effect on prime or important farmland.

The Natural Resources Conservation Service (NRCS) would advise the applicant to consult with the local NRCS and Farm Service Agency (FSA) offices regarding any USDA easements or contract in the project area that may be affected.

If you have any questions, please contact Barb Hall, GIS Specialist, at (605)352-1256.

Sincerely,

A handwritten signature in blue ink that reads "Barb Hall acting for".

DEANNA M. PETERSON
State Soil Scientist



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
SOUTH DAKOTA REGULATORY OFFICE
28563 POWERHOUSE ROAD, ROOM 118
PIERRE, SOUTH DAKOTA 57501-6174

August 13, 2012

South Dakota Regulatory Office
28563 Powerhouse Road, Room 118
Pierre, South Dakota 57501

HDR Engineering, Inc.
Attn: Brian Hunker
701 Xenia Avenue South, Suite 600
Minneapolis, Minnesota 55416

Dear Mr. Hunker,

Reference is made to the preliminary information received August 1, 2012, concerning Department of the Army authorization requirements for the proposed Big Stone South to Ellendale 345kV Transmission Line Project in Grant County, South Dakota.

The Corps' jurisdiction is derived from Section 404 which calls for Federal regulation of the discharge of dredged or fill material into certain waterways, lakes and/or wetlands, (i.e. waters of the United States). If the proposed project involves either the discharge of dredged or fill material into waters subject to Federal regulation, it is requested the project proponent submit an application for a Department of the Army permit.

Regarding your request for comment relative to environmental impacts, this office assesses project impacts, including environmental impacts, after receipt of the detailed, site specific information required via our permit application process.

You can obtain additional information about the Regulatory Program and download forms from our website: <https://www.nwo.usace.army.mil/html/od-rsd/frame.html>.

If you have any questions or need any assistance, please feel free to contact this office at the above Regulatory Office address or telephone Carolyn Kutz at (605) 224-8531.

Sincerely,

Steven E. Naylor
Regulatory Program Manager,
South Dakota



January 24, 2013

Carolyn Kutz
SD USACE
28563 Powerhouse Road Room 118
Pierre, SD 57501

**RE: Montana-Dakota Utilities Co. and Otter Tail Power Company
Proposed Big Stone South to Ellendale 345kV Transmission Line Project
South Dakota Interagency Meeting**

Dear Carolyn:

Montana-Dakota Utilities Co. and Otter Tail Power Company would like thank you for attending the interagency meeting that was held on January 16, 2013, in Pierre, South Dakota to review the preliminary routes for the Big Stone South to Ellendale Project. For those of you who were unable to attend we appreciate your contributions to date. We would like to take this time to encourage you to provide any additional feedback on the preliminary routes. Also, please confirm any jurisdiction or required processes based on the preliminary routes. Attached for your reference and information are the meeting notes.

We discussed the Section 10 permitting process for an aerial crossing of the James River and coverage under the nationwide permit for the transmission line project. It is our understanding that the U.S. Army Corps of Engineers will look at each wetland crossing as a single complete project based on the discussion we had at the interagency meeting. Can you please verify this is the case? Please also confirm that the coordination that has occurred to date, along with future updates on the preferred route selection and the alternatives and need analysis that will be included as part of the state routing process, should be sufficient to support the alternatives and need requirements of the Section 10 permit process. If any other information is required by your office ahead of the Section 404 and Section 10 applications, please let us know. We appreciate your assistance on this matter.

In the meeting, we inquired about how you would like to receive future project updates. Based on the feedback heard we will be providing update emails with associated maps to show project progress.

Thank you for your continued assistance, please forward responses to questions or if you have any further questions or comments, contact Chad Miller at (701) 222-7865 or chad.miller@mdu.com.

Chad Miller

Montana Dakota Utilities Co.
400 North Fourth Street
Bismarck, ND 58501-4092

Sincerely,

Montana-Dakota Utilities Co.

Henry Ford
Project Developer

Otter Tail Power Company

Dean Pawlowski
Project Developer

Enclosure: Meeting Notes

From: Crooke, Patsy J NWO [<mailto:Patsy.J.Crooke@usace.army.mil>]
Sent: Wednesday, February 06, 2013 10:21 AM
To: Miller, Chad
Subject: BSSE Transmission line project (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Chad:

Dan forwarded me your letter of January 24, 2013. In the letter you requested confirmation that the Corps will look at each wetland crossing as a single and complete project. Per regulatory definition at 33 CFR 320.2(i), "For linear projects, the single and complete project will apply to each crossing of a separate water of the US at that location; except that for linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project. However, individual channels in a braided stream or river, or individual arms of a large, irregularly-shaped wetland or lake, etc., are NOT separate waterbodies." So, yes, each wetland crossing will be looked at accordingly.

Regarding the alternatives, these are only necessary for compliance with the 404(b)(1) Guidelines (individual permitting process). It is likely that Nationwide Permit #12 will cover this project, even for the crossing over the James River. I have attached a Fact Sheet for NWP #12 for your review. See the notification requirements on page 2.

I hope this helps. Certainly give me a call if you need further clarification or discussion.

Patsy

Patsy Crooke
Project Manager
USACE/NDRO
1513 S 12th Street
Bismarck, ND 58504
701.255.0015
FAX: 701.255.4917
patsy.j.crooke@usace.army.mil

Classification: UNCLASSIFIED
Caveats: NONE



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
SOUTH DAKOTA REGULATORY OFFICE
28563 POWERHOUSE ROAD, ROOM 118
PIERRE, SOUTH DAKOTA 57501-6174

February 13, 2013

South Dakota Regulatory Office
28563 Powerhouse Road, Room 118
Pierre, South Dakota 57501

Montana Dakota Utilities Co.
Attn: Chad Miller
400 North Fourth Street
Bismarck, North Dakota 58501-4092

Dear Mr. Miller:

Reference is made to the information received January 28, 2013, concerning the interagency meeting in Pierre, South Dakota for the proposed Big Stone South to Ellendale 345 kV Transmission Line Project in South Dakota.

The Corps' jurisdiction is derived from Section 10 of the Rivers and Harbors Act of March 3, 1899, and Section 404 of the Clean Water Act passed by Congress in 1972. Section 10 calls for Federal regulation of activities in or affecting navigable waters of the United States including adjacent wetlands. Section 404 calls for Federal regulation of the discharge of dredged or fill material into certain waterways, lakes and/or wetlands, (i.e. waters of the United States).

In regard to the our discussion on the Section 10 permitting process for an aerial crossing of the James River, I have inserted a table from the US Army Corps of Engineers Regulation from Part 33 CFR 322.5(i)(2) – Special Policies that address the minimum clearance requirements that must be adhered to for the installation of a transmission line over a Section 10 waters of the United States.

Nominal System Voltages, kV	Minimum Additional Clearance (feet) above clearance required for bridges
115 and below	20
138	22
161	24
230	26
350	30
500	35
700	42
750-765	45

- 2 -

Under the USACE meeting notes, bullet No. 3 states "All other wetland crossings will likely qualify for Nationwide Permit coverage with no PCN". In accordance with Nationwide Permit #12 Utility Line Activities, a PCN is required under certain circumstances which are outlined under "Notification" in the Nationwide Permit #12 fact sheet that is attached.

You can obtain additional information about the Regulatory Program and download forms from our website: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/SouthDakota.aspx>

If you have any questions or need any assistance, please feel free to contact this office at the above Regulatory Office address or telephone Carolyn Kutz at (605) 224-8531.

Sincerely,



Steven E. Naylor
Regulatory Program Manager,
South Dakota

Enclosures


KUTZ/cmk



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
420 South Garfield Avenue, Suite 400
Pierre, South Dakota 57501-5408



August 7, 2012

Mr. Chad Miller
Montana-Dakota Utilities Company
400 North Fourth
Bismarck, North Dakota 58501

Re: Big Stone South to Ellendale 345 kV
Transmission Line Project, Numerous
Counties in North Dakota, South Dakota,
and Possibly Minnesota

Dear Mr. Miller:

This letter is in response to your request dated July 27, 2012, for environmental comments regarding the above referenced project involving the construction of a new 345 kV transmission line beginning at the new Ellendale Substation in Dickey County, North Dakota, and ending at the proposed Big Stone South Substation in Grant County, South Dakota. The transmission line may cross into Minnesota also.

Please consult the National Wetlands Inventory maps, available online at <http://wetlands.fws.gov/>, to determine what wetlands exist in the proposed project area. If a project may impact wetlands or other important fish and wildlife habitats, the U.S. Fish and Wildlife Service (Service), in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347) and other environmental laws and rules, recommends complete avoidance of these areas, if possible; then minimization of any adverse impacts; and finally, replacement of any lost acres; in that order. Alternatives should be examined and the least damaging practical alternative selected. If wetland impacts are unavoidable, a mitigation plan addressing the number and types of wetland acres to be impacted and the methods of replacement should be prepared and submitted to the resource agencies for review.

The current study area falls under the jurisdiction of four of the Service's Wetland Management Districts (WMD) in South Dakota and two WMD's in North Dakota. WMD's administer easements and fee title properties in several counties in this study area. To determine whether Service interest lands exist at the proposed project site, the exact locations of these properties, and any additional restrictions that may apply regarding these sites, please contact the following Service offices:

Brown and Spink Counties in South Dakota

Jay Peterson
Sand Lake Wetland Management District
39650 Sand Lake Drive
Columbia, South Dakota 57433
Telephone No. (605) 885-6320

Marshall, Roberts, Day, Clark, Codington, and Grant Counties in South Dakota

Connie Mueller
Waubay Wetland Management District
44401 134A Street
Waubay, South Dakota 57273
Telephone No. (605) 947-4521

Hamlin and Deuel Counties in South Dakota

Natoma Buskness
Madison Wetland Management District
P.O. Box 48
Madison, South Dakota 57042
Telephone No. (605) 256-2974

Beadle County, South Dakota

Clarke Dirks
Huron Wetland Management District
Federal Building, Room 309
200 4th Street SW
Huron, South Dakota 57350
Telephone No. (605) 352-5894

Dickey County, North Dakota

Kulm Wetland Management District
1 First Street, SW
P.O. Box E
Kulm, North Dakota 58456
Telephone No. (701) 647-2866

Sargent and Richland Counties in North Dakota

Tewaukon National Wildlife Refuge
9754 143 1/2 Avenue SE
Cayuga, North Dakota 58013
Telephone No. (701) 724-3598

Enclosed you will find the county-by-county endangered species list for each state within the study area - South Dakota, North Dakota, and Minnesota.

If the Federal action agency or their designated representative determines that the project will have "no effect" on federally listed species, Service concurrence is not necessary per section 7 of the Endangered Species Act (ESA). If the Federal action agency or their designated representative determines that this project "may adversely affect" listed species in South Dakota, it should request formal consultation from this office. If a "may affect - not likely to adversely affect" determination is made for this project, it should be submitted to this office for concurrence. For more information regarding Federal action agency responsibilities as related to section 7 of the ESA, please refer to the Service's Endangered Species Act Consultation Handbook, available online at <http://www.fws.gov/endangered/consultations/index.html>.

Please contact our office again when the final route has been determined for the transmission line so that we may provide more detailed information about wetlands, fisheries, and endangered species.

The Service appreciates the opportunity to provide comments. If you have any questions regarding these comments, please contact Charlene Bessken of this office at (605) 224-8693, Extension 231.

Sincerely,



Scott V. Larson
Field Supervisor
South Dakota Field Office

Enclosures

cc: FWS/Sand Lake WMD; Columbia, SD
FWS/Madison WMD; Madison, SD
FWS/Waubay WMD; Waubay, SD
FWS/Huron WMD; Huron, SD
FWS/Kulm WMD; Kulm, ND
FWS/Tewaukon WMD; Cayuga, ND
FWS/ND ES Field Office; Bismarck, ND
FWS/Twin Cities ES Field Office; Bloomington, MN

South Dakota Listed Species by County List (updated 17 April 2012)

The bald eagle was removed from the List of Endangered and Threatened Wildlife effective August 8, 2007. The protections provided to the bald eagle under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act have continued to remain in place after the species was delisted. National Bald Eagle Management Guidelines (<http://www.fws.gov/pacific/eagle/NationalBaldEagleManagementGuidelines.pdf>) have been developed. This rule change does not affect the bald eagle's status as a threatened or endangered species under State laws or suspend any other legal protections provided by State law.

E = Endangered

T = Threatened

C = Candidate

XN = Experimental/Non-essential Population

CH = Critical Habitat

PCH = Proposed Critical Habitat

County	Group	Species	Certainty of Occurrence	Status
Aurora	Bird Fish	Crane, Whooping Shiner, Topeka	Known	E
			Known	E
Beadle	Bird Fish	Crane, Whooping Shiner, Topeka	Known	E
			Known	E
Bennett	Bird Plant	Crane, Whooping Orchid, Western Prairie Fringed ¹	Known	E
			Possible	T
Bon Homme	Bird	Crane, Whooping Tern, Least Plover, Piping Shiner, Topeka Sturgeon, Pallid	Possible	E
	Bird		Known	E
	Bird		Known	T (CH)
	Fish		Known	E
	Fish		Known	E
Brookings	Fish	Shiner, Topeka Orchid, Western Prairie Fringed ¹ Dakota Skipper Poweshiek Skipperling ⁸	Known	E
	Plant		Possible	T
	Invertebrate		Known	C
	Invertebrate		Known	C
Brown	Bird	Curlew, Eskimo Crane, Whooping Shiner, Topeka Dakota Skipper	Extremely Rare	E
	Bird		Known	E
	Fish		Known	E
	Invertebrate		Known	C
Brule	Bird	Crane, Whooping Tern, Least Plover, Piping Sturgeon, Pallid	Known	E
	Bird		Known	E
	Bird		Possible	T
	Fish		Known	E

County	Group	Species	Certainty of Occurrence	Status
Buffalo	Bird	Crane, Whooping	Known	E
	Bird	Tern, Least	Known	E
	Bird	Plover, Piping	Possible	T
	Fish	Sturgeon, Pallid	Known	E
Butte	Bird	Crane, Whooping	Known	E
	Bird	Greater Sage Grouse	Known	C
	Bird	Sprague's Pipit	Possible	C
			Breeding/Migration	
Campbell	Bird	Crane, Whooping	Known	E
	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Fish	Sturgeon, Pallid	Possible	E
	Bird	Sprague's Pipit	Possible Migration	C
Charles Mix	Bird	Crane, Whooping	Known	E
	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Fish	Sturgeon, Pallid	Possible	E
Clark	Bird	Crane, Whooping	Known	E
	Fish	Shiner, Topeka ³	Possible	E
	Invertebrate	Poweshiek Skipperling ⁸	Known	C
Clay	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Fish	Sturgeon, Pallid	Possible	E
	Fish	Shiner, Topeka	Known	E
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
	Mussel	Mussel, Scaleshell ⁶	Historic	E
Codington	Bird	Crane, Whooping	Known	E
	Fish	Shiner, Topeka	Known	E
	Invertebrate	Dakota Skipper	Known	C
	Invertebrate	Poweshiek Skipperling ⁸	Known	C
Corson	Bird	Crane, Whooping	Known	E
	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Mammal	Ferret, Black-footed	Possible	E
	Fish	Sturgeon, Pallid	Possible	E
	Bird	Sprague's Pipit	Possible	C
			Breeding/Migration	
Custer	Bird	Crane, Whooping	Possible	E
	Mammal	Ferret, Black-footed	Known	E
	Bird	Sprague's Pipit	Possible Migration	C

County	Group	Species	Certainty of Occurrence	Status
Davison	Bird Fish	Crane, Whooping Shiner, Topeka	Possible Known	E E
Day	Bird Bird Invertebrate Invertebrate	Crane, Whooping Plover, Piping Dakota Skipper Poweshiek Skipperling ⁸	Possible Known Known Known	E T C C
Deuel	Fish Invertebrate Invertebrate	Shiner, Topeka ³ Dakota Skipper Poweshiek Skipperling ⁸	Known Known Known	E C C
Dewey	Bird Bird Bird Mammal Fish Bird	Crane, Whooping Plover, Piping Tern, Least Ferret, Black-footed ⁴ Sturgeon, Pallid Sprague's Pipit	Known Known Known Known Known Possible Migration	E T (CH) E XN E C
Douglas	Bird Fish	Crane, Whooping Shiner, Topeka	Known Possible	E E
Edmunds	Bird Invertebrate	Crane, Whooping Dakota Skipper	Known Known	E C
Fall River	Bird Bird	Greater Sage Grouse Sprague's Pipit	Known Possible Migration	C C
Faulk	Bird	Crane, Whooping	Known	E
Grant	Fish Invertebrate Invertebrate	Shiner, Topeka ³ Dakota Skipper Poweshiek Skipperling ⁸	Possible Known Known	E C C
Gregory	Bird Bird Bird Mammal Fish Insect	Crane, Whooping Plover, Piping Tern, Least Ferret, Black-footed ⁴ Sturgeon, Pallid Beetle, American Burying ²	Known Known Known Possible Known Known	E T (CH) XN E E E
Haakon	Bird Bird Bird Bird	Crane, Whooping Plover, Piping Tern, Least Sprague's Pipit	Known Known Known Possible Migration	E T E C
Hamlin	Bird Fish Invertebrate Invertebrate	Crane, Whooping Shiner, Topeka ³ Dakota Skipper Poweshiek Skipperling ⁸	Possible Known Known Known	E E C C

County	Group	Species	Certainty of Occurrence	Status
Hand	Bird Fish	Crane, Whooping Shiner, Topeka	Known Known	E E
Hanson	Bird Fish	Crane, Whooping Shiner, Topeka	Possible Known	E E
Harding	Bird Bird Bird	Crane, Whooping Greater Sage Grouse Sprague's Pipit	Possible Known Possible Breeding/Migration	E C C
Hughes	Bird Bird Bird Fish	Crane, Whooping Plover, Piping Tern, Least Sturgeon, Pallid	Known Known Known Known	E T (CH) E E
Hutchinson	Bird Fish Plant	Crane, Whooping Shiner, Topeka Orchid, Western Prairie Fringed ¹	Possible Known Possible	E E T
Hyde	Bird Bird Bird Fish	Crane, Whooping Plover, Piping Tern, Least Sturgeon, Pallid	Known Known Known Known	E T E E
Jackson	Bird Mammal Bird	Crane, Whooping Ferret, Black-footed ⁴ Sprague's Pipit	Known Possible Possible Migration	E XN C
Jerauld	Bird Fish	Crane, Whooping Shiner, Topeka ³	Known Possible	E E
Jones	Bird Bird	Crane, Whooping Sprague's Pipit	Known Possible Migration	E C
Kingsbury	Bird Bird Fish	Crane, Whooping Plover, Piping Shiner, Topeka ³	Known Known Possible	E T E
Lake	Fish Plant	Shiner, Topeka ³ Orchid, Western Prairie Fringed ¹	Possible Possible	E T
Lawrence	Bird Bird	Crane, Whooping Sprague's Pipit	Known Possible Migration	E C
Lincoln	Fish Fish Plant	Sturgeon, Pallid ⁷ Shiner, Topeka Orchid, Western Prairie Fringed ¹	Known Known Possible	E E T

County	Group	Species	Certainty of Occurrence	Status
Lyman	Bird	Crane, Whooping	Known	E
	Bird	Tern, Least	Known	E
	Bird	Plover, Piping	Possible	T
	Mammal	Ferret, Black-footed	Known	E
	Fish	Sturgeon, Pallid	Known	E
	Bird	Sprague's Pipit	Possible Migration	C
Marshall	Bird	Crane, Whooping	Possible	E
	Invertebrate	Dakota Skipper	Known	C
	Invertebrate	Poweshiek Skipperling ⁸	Known	C
McCook	Bird	Crane, Whooping	Possible	E
	Fish	Shiner, Topeka	Known	E
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
McPherson	Bird	Crane, Whooping	Known Possible	E
	Bird	Sprague's Pipit	Breeding/Migration	C
	Invertebrate	Dakota Skipper	Known	C
Meade	Bird	Crane, Whooping	Known	E
	Bird	Tern, Least	Known	E
	Bird	Sprague's Pipit	Possible	C
			Breeding/Migration	
Mellette	Bird	Crane, Whooping	Known	E
	Mammal	Ferret, Black-footed ⁴	Possible	XN
Miner	Bird	Crane, Whooping	Possible	E
	Fish	Shiner, Topeka	Known	E
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
Minnehaha	Fish	Shiner, Topeka	Known	E
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
Moody	Fish	Shiner, Topeka	Known	E
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
	Invertebrate	Dakota Skipper	Known	C
Pennington	Bird	Crane, Whooping	Known	E
	Bird	Tern, Least	Known	E
	Mammal	Ferret, Black-footed ⁴	Known	XN
	Bird	Sprague's Pipit	Possible Migration	C
Perkins	Bird	Crane, Whooping	Known Possible	E
	Bird	Sprague's Pipit	Breeding/Migration	C
Potter	Bird	Crane, Whooping	Known	E
	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Fish	Sturgeon, Pallid	Known	E

County	Group	Species	Certainty of Occurrence	Status
Roberts	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
	Invertebrate	Dakota Skipper	Known	C
	Invertebrate	Poweshiek Skipperling ⁸	Known	C
Sanborn	Bird	Crane, Whooping	Possible	E
	Fish	Shiner, Topeka	Known	E
Shannon	Bird	Crane, Whooping	Known	E
	Mammal	Ferret, Black-footed ⁴	Possible	XN
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
	Bird	Sprague's Pipit	Possible Migration	C
Spink	Bird	Crane, Whooping	Known	E
	Fish	Shiner, Topeka ³	Possible	E
Stanley	Bird	Crane, Whooping	Known	E
	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Fish	Sturgeon, Pallid	Known	E
	Bird	Sprague's Pipit	Possible Migration	C
Sully	Bird	Crane, Whooping	Known	E
	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Fish	Sturgeon, Pallid	Known	E
Todd	Bird	Crane, Whooping	Possible	E
	Mammal	Ferret, Black-footed ⁴	Known	XN
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
	Insect	Beetle, American Burying ²	Known	E
Tripp	Bird	Crane, Whooping	Known	E
	Mammal	Ferret, Black-footed ⁴	Possible	XN
	Insect	Beetle, American Burying ²	Known	E
Turner	Bird	Crane, Whooping	Possible	E
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
	Fish	Shiner, Topeka	Known	E
Union	Bird	Plover, Piping	Known	T
	Bird	Tern, Least	Known	E
	Fish	Sturgeon, Pallid	Possible	E
	Fish	Shiner, Topeka	Known	E
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
	Mussel	Mussel, Scaleshell ⁶	Historic	E
Walworth	Bird	Crane, Whooping	Known	E
	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Fish	Sturgeon, Pallid	Possible	E

County	Group	Species	Certainty of Occurrence	Status
Yankton	Bird	Curlew, Eskimo	Extremely Rare	E
	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Fish	Sturgeon, Pallid	Possible	E
	Fish	Shiner, Topeka ³	Possible	E
	Plant	Orchid, Western Prairie Fringed ¹	Possible	T
	Mussel	Mussel, Scaleshell ⁶	Historic	E
	Mussel	Mussel, Higgins Eye ^{5,6}	Possible	E
Ziebach	Bird	Crane, Whooping	Known	E
	Bird	Plover, Piping	Known	T (CH)
	Bird	Tern, Least	Known	E
	Mammal	Ferret, Black-footed ⁴	Possible	XN
	Bird	Sprague's Pipit	Possible Migration	C

Notes

¹ The counties indicated for the Western Prairie Fringed Orchid are counties with potential habitat. Currently, there are no known populations of this species in South Dakota. Status surveys have been completed for the orchid in South Dakota. However, because of the ecology of this species, there is a possibility that plants may be overlooked.

² The American Burying Beetle is presently known for only Gregory, Todd and Tripp counties. One specimen was recently trapped in southern Bennett County. Historic specimens have been recorded from Haakon and Brookings Counties. A comprehensive status survey has never been completed for the American burying beetle in South Dakota. Until status surveys have been completed, the beetle could and may occur in any county with suitable habitat. Suitable habitat is considered to be any site with significant humus or topsoil suitable for burying carrion.

³ Although Topeka Shiners have not been formally documented within Clark, Douglas, Grant, Jerauld, Kingsbury, Lake, Spink, or Yankton Counties, the species may still occur in these areas because they contain portions of known occupied Topeka Shiner streams and/or potentially occupied streams that exist within one or more of the three known inhabited watersheds in South Dakota: the James, Vermillion, and Big Sioux.

⁴ Black-footed ferrets have been reintroduced in the Badlands National Park, Buffalo Gap National Grasslands, Cheyenne River Sioux Tribe Reservation, Lower Brule Sioux Reservation, Rosebud Sioux Reservation and Wind Cave National Park.

⁵ A fresh dead shell of a Higgins Eye Mussel was found in the Missouri River below Gavins Point Dam on October 27, 2004.

⁶ Shells of these species have been found, but no populations have been located.

⁷ A pallid sturgeon was caught in Lincoln County from the Big Sioux River in May 2009.

⁸ This list includes counties where Poweshiek skipperling has been confirmed within the past 25 years (1986 or later). Due to the sharp declines in the last several years, the list may include counties in which the species no longer occurs. Nevertheless, we recommend that agencies contact the South

Dakota Ecological Services Field Office if undertaking or planning projects that may affect Poweshiek skipperling habitat in these counties.

More specific information on these species can be found at our website at <http://www.fws.gov> or by calling our office for more information.

Any corrections or additions to this list should be submitted to Scott Larson, U.S. Fish and Wildlife Service, South Dakota Field Office, Ecological Services, 420 South Garfield Avenue, Pierre, SD; Telephone (605)224-8693.

**County Occurrence of Endangered, Threatened and Candidate Species
and Designated Critical Habitat in North Dakota**

February 2012

Species	A d a m s	B a r n e s	B e n s o n	B i l l i n g s	B o t t i n e a u	B o w m a n	B u r k e	B u r l e i g h	C a s s	C a v a l i e r	D i c k e y	D i v i d e	D u n n	E d d y	E m m o n s	F o s t e r	G o. V a l l e y	G r. F o r k s	G r a n t	G r i g g s	H e t t i n g e r	K i d d e r	L a m o u r e	L o g a n	M c H e n r y	M c I n t o s h	M c K e n z i e	
Interior Least Tern - E							X					X		X														X
Whooping Crane - E	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Black-footed Ferret - E	X			X		X							X				X		X		X							X
Pallid Sturgeon - E								X					X		X													X
Gray Wolf - E	X			X	X	X	X					X	X				X		X		X							X
Piping Plover - T			X				X	X				X	X	X	X	X						X		X	X	X	X	X
Western Prairie Fringed Orchid - T																												
Dakota Skipper - C					X		X						X	X												X		X
Poweshiek skipperling - C									X																			
Sprague's Pipit - C	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X		X		X	X	X	X	X	X	X	X
Greater Sage-Grouse - C						X											X											
Designated Critical Habitat																												
Piping Plover			X				X	X				X	X	X	X								X		X	X	X	X

E - Endangered

T - Threatened

C - Candidate

Endangered west of Hwy 83 - Delisted east of Hwy 83

X

**County Occurrence of Endangered, Threatened and Candidate Species
and Designated Critical Habitat in North Dakota**

February 2012

Species	M c L e a n	M e r c e r	M o r t o n	M o u n t r a i l	N e l s o n	O l i v e r	P e m b i n a	P i e r c e	R a m s e y	R a n s o m	R e n v i l l e	R i c h l a n d	R o l e t e	S a r g e n t	S h e r i d a n	S i o u x	S l o p e	S t a r k	S t e e l e	S t u t s m a n	T o w n e r	T r a i l l	W a l s h	W a r d	W e l l s	W i l l i a m s		
Interior Least Tern - E	X	X	X	X		X										X											X	
Whooping Crane - E	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Black-footed Ferret - E		X	X			X										X	X	X										
Pallid Sturgeon - E	X	X	X	X		X										X											X	
Gray Wolf - E	X	X	X	X		X					X					X	X	X							X		X	
Piping Plover - T	X	X	X	X		X		X			X				X	X				X					X	X	X	
W. P. Fringed Orchid - T										X		X																
Dakota Skipper - C	X			X		X				X		X	X	X							X				X	X		
Poweshiek skipperling - C										X		X		X														
Sprague’s Pipit - C	X	X	X	X		X	X	X	X	X	X		X	X	X	X	X	X		X	X			X	X	X	X	
Greater Sage-Grouse - C																	X											
Designated Critical Habitat																												
Piping Plover	X	X	X	X		X		X			X				X	X					X				X		X	

E - Endangered

T - Threatened

C - Candidate

Endangered west of Hwy 83 - Delisted east of Hwy 83

X

Minnesota

County Distribution of Federally-Listed Threatened, Endangered and Candidate Species

County	Species	Status	Habitat
Aitkin	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
Anoka	No listed species present		
Becker	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Beltrami	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
Benton	No listed species present		
Big Stone	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Blue Earth	No listed species present		
Brown	Prairie bush-clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
Carlton	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
Carver	No listed species present		
Cass	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
Chippewa	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Chisago	Higgins eye pearlymussel (<i>Lampsilis higginsii</i>)	Endangered	St. Croix River
	Spectaclecase (<i>Cumberlandia monodonta</i>)	Endangered	St. Croix River

County	Species	Status	Habitat
	Snuffbox (<i>Epioblasma triquetra</i>)	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Winged mapleleaf (<i>Quadrula fragosa</i>)	Endangered	St. Croix River
Clay	Sprague's pipit (<i>Anthus spragueii</i>)	Candidate	Large (>350 acre) patches of grassland - prefer native grassland, but also use non-native planted grasslands.
	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadow
Clearwater	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
Cook	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
	Canada lynx (<i>Lynx canadensis</i>)	Critical Habitat	Map of critical habitat in Minnesota
Cottonwood	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Gravelly soil in dry to mesic prairies
Crow Wing	No species listed		
Dakota	Higgins eye pearlymussel (<i>Lampsilis higginsii</i>)	Endangered	Mississippi River
	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
Dodge	Dwarf trout lily (<i>Erythronium propullans</i>)	Endangered	North facing slopes and floodplains in deciduous forests
	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils

County	Species	Status	Habitat
Douglas	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Faribault	No listed species present		
Fillmore	Leedy's roseroot (<i>Rhodiola integrifolia</i> ssp. <i>leedyi</i>)	Threatened	Cool, wet groundwater-fed limestone cliffs
Freeborn	No listed species present		
Goodhue	Dwarf trout lily (<i>Erythronium propullans</i>)	Endangered	North facing slopes and floodplains in deciduous forests
	Higgins eye pearlymussel (<i>Lampsilis higginsii</i>)	Endangered	Mississippi River
	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
Grant	No listed species present		
Hennepin	Higgins eye pearlymussel (<i>Lampsilis higginsii</i>)	Endangered	Mississippi River
Houston	Eastern massasauga (<i>Sistrurus catenatus</i>)	Candidate	Floodplain wetlands and nearby upland areas along the Mississippi River and Tributaries
	Higgins eye pearlymussel (<i>Lampsilis higginsii</i>)	Endangered	Mississippi River
Hubbard	No species listed		
Isanti	No species listed		
Itasca	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
Jackson	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
Kanabec	No species listed		
Kandiyohi	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie

County	Species	Status	Habitat
Kittson	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadows
Koochiching	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
	Canada lynx (<i>Lynx canadensis</i>)	Critical Habitat	Map of lynx critical habitat in Minnesota
Lac Qui Parle	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Lake	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
	Canada lynx (<i>Lynx canadensis</i>)	Critical Habitat	Map of lynx critical habitat in Minnesota
Lake of the Woods	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
	Piping plover (<i>Charadrius melodus</i>) Northern Great Plains Breeding Population	Threatened; and Critical Habitat	Sandy beaches, islands
Le Sueur	No listed species present		
Lincoln	Topeka shiner (<i>Notropis topeka</i>)	Endangered	Prairie rivers and streams
	Topeka shiner (<i>Notropis topeka</i>)	Critical Habitat	
	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie

County	Species	Status	Habitat
	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadow
Lyon	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Mahnomen	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Marshall	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
Martin	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
McLeod	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Meeker	No listed species present		
Mille Lacs	No listed species present		
Morrison	No listed species present		
Mower	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadows
Murray	Topeka shiner (<i>Notropis topeka</i>)	Endangered	Prairie rivers and streams
	Topeka shiner (<i>Notropis topeka</i>)	Critical Habitat	
	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Nicollet	No listed species present		
Nobles	Topeka shiner (<i>Notropis topeka</i>)	Endangered	Prairie rivers and streams
	Topeka shiner (<i>Notropis topeka</i>)	Critical Habitat	

County	Species	Status	Habitat
	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadow
Norman	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadows
Olmsted	Leedy's roseroot (<i>Rhodiola integrifolia</i> ssp. <i>leedyi</i>)	Threatened	Cool, wet groundwater-fed limestone cliffs
	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
Otter Tail	No species listed		
Pennington	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadows
Pine	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
	Spectaclecase (<i>Cumberlandia monodonta</i>)	Endangered	St. Croix River
Pipestone	Topeka shiner (<i>Notropis topeka</i>)	Endangered	Prairie rivers and streams
	Topeka shiner (<i>Notropis topeka</i>)	Critical Habitat	
	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie

County	Species	Status	Habitat
	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadows
Polk	Sprague's pipit (<i>Anthus spragueii</i>)	Candidate	Large (>350 acre) patches of grassland - prefer native grassland, but also use non-native planted grasslands.
	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadows
Pope	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Ramsey	Higgins eye pearlymussel (<i>Lampsilis higginsii</i>)	Endangered	Mississippi River
	Winged mapleleaf (<i>Quadrula fragosa</i>)	Endangered	St. Croix River
Red Lake	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadow
Redwood	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
Renville	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
Rice	Dwarf trout lily (<i>Erythronium propullans</i>)	Endangered	North facing slopes and floodplains in deciduous forest
	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
Rock	Topeka shiner (<i>Notropis topeka</i>)	Endangered	Prairie rivers and streams
	Topeka shiner (<i>Notropis topeka</i>)	Critical Habitat	

County	Species	Status	Habitat
	Prairie bush clover (<i>Lespedeza leptostachya</i>)	Threatened	Native prairie on well-drained soils
	Western prairie fringed orchid (<i>Platanthera praeclara</i>)	Threatened	Wet prairies and sedge meadows
Roseau	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
	Sprague's pipit (<i>Anthus spragueii</i>)	Candidate	Large (>350 acre) patches of grassland - prefer native grassland, but also use non-native planted grasslands.
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
St. Louis	Piping Plover (<i>Charadrius melodus</i>) Great Lakes Breeding Population	Endangered and Critical Habitat Designated in this county	Sandy beaches, islands
	Canada lynx (<i>Lynx canadensis</i>)	Threatened	Northern forest
	Canada lynx (<i>Lynx canadensis</i>)	Critical Habitat	Map of lynx critical habitat in Minnesota
Scott	No listed species present		
Sherburne	No listed species present		
Sibley	No listed species present		
Stearns	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Steele	Dwarf trout lily (<i>Erythronium propullans</i>)	Endangered	North facing slopes and floodplains in deciduous forests
Stevens	No listed species present		
Swift	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Todd	No listed species present		

County	Species	Status	Habitat
Traverse	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Wabasha	Eastern massasauga (<i>Sistrurus catenatus</i>)	Candidate	Floodplain wetlands and nearby upland areas along the Mississippi River and Tributaries
	Higgins eye pearlymussel (<i>Lampsilis higginsii</i>)	Endangered	Mississippi River
	Sheepnose (<i>Plethobasus cyphus</i>)	Endangered	Mississippi River
	Spectaclecase (<i>Cumberlandia monodonta</i>)	Endangered	Mississippi River
Wadena	No listed species present		
Waseca	No listed species present		
Washington	Higgins eye pearlymussel (<i>Lampsilis higginsii</i>)	Endangered	Mississippi River
	Snuffbox (<i>Epioblasma triquetra</i>)	Endangered	Small to medium-sized creeks and some larger rivers, in areas with a swift current
	Spectaclecase (<i>Cumberlandia monodonta</i>)	Endangered	St. Croix River
	Winged mapleleaf (<i>Quadrula fragosa</i>)	Endangered	St. Croix River
Watonwan	No listed species present		
Wilkin	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie
Winona	Eastern massasauga (<i>Sistrurus catenatus</i>)	Candidate	Floodplain wetlands and nearby upland areas along the Mississippi River and Tributaries
	Higgins eye pearlymussel (<i>Lampsilis higginsii</i>)	Endangered	Mississippi River

County	Species	Status	Habitat
	Sheepnose (<i>Plethobasus cyphus</i>)	Endangered	Mississippi River
	Karner blue butterfly (<i>Lycaeides melissa samuelis</i>)	Endangered	Pine barrens and oak savannas on sandy soils and containing wild lupines (<i>Lupinus perennis</i>), the only known food plant of larvae.
Wright	No listed species present		
Yellow Medicine	Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Native prairie habitat
	* Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Native Prairie

Revised March 2012

Current, Rhonda

From: Mueller, Connie <connie_mueller@fws.gov>
Sent: Wednesday, March 20, 2013 1:50 PM
To: Pickle, Joyce E.
Cc: Michael Erickson; Heidi Riddle; Charlene Bessken; Jay Peterson; Rob Bundy
Subject: USFWS comments on BSSE line

Ms. Pickle,

The BSSE transmission line is progressing toward route selection, and you have requested the U.S. Fish & Wildlife Service (USFWS) thoughts on the line, and the NEPA process.

As you are aware, USFWS is involved in two different ways with this project. The fee title and easement lands are covered by the Division of Refuges. Endangered species and migratory bird concerns are covered by the Division of Ecological Services. Comments provided here are a collection of thoughts from both Divisions in both South and North Dakota.

The USFWS does not have any comments on the preferred route selection beyond what has already been provided at the local meetings.

It appears that it will be difficult to avoid all wetland and grassland easement interests. If a grassland easement is crossed, or a wetland basin on a wetland easement contract is impacted, the NEPA process will be triggered. USFWS will provide guidance on the writing of the document; however, the final route selection will determine the exact details of the document. Below are a few elements that will likely need to be covered in the NEPA process, however, the list may be expanded when the final route is reviewed.

- When USFWS is satisfied that all efforts have been made to avoid easement impacts, acres of wetland and grassland easements impacted will need to be replaced with equal biological and financial acres of similar habitat. The exact pole locations will need to be surveyed and recorded. A reclusion clause is included if the line is ever decommissioned.
- USFWS has previously requested avoidance of all fee-title lands, and in particular the area in Dickey County that has been identified.
- Whooping cranes are known to stop over in areas near the line. To reduce the risk of a line strike, the Service's Region 6 Guidance for Minimizing Effects from Power Line Projects within the Whooping Crane Migration Corridor recommends that project proponents mark new lines within 1.0 mile of potentially suitable habitat and an equal amount of existing line within 1.0 mile of potentially suitable habitat (preferably within the 75-percent corridor, but at a minimum within the 95-percent corridor). Outside the corridor, project proponents should mark new lines within 1.0 mile of potentially suitable habitat.
- The Dakota skipper and Poweshiek skippering are two ESA candidate species that are known to occur on native prairie near the proposed transmission line in Grant/Day/Marshall Counties, SD and near the Dickey/Sargent County line in ND. As a matter of policy, the Service's Refuge Division treats candidate species as proposed, which may require a conference under Section 7 of the ESA. A survey of suitable habitat for these butterflies may be prudent. If good habitat is located, surveys for the species should be conducted.

- Migratory birds – there is no take permit for migratory birds so a conservation plan and/or compensatory mitigation may need to be completed. Colonial nesting birds and grassland birds may be affected. You will need to detail how you are going to avoid and/or minimize the effect on migratory birds.

Connie Mueller

--

Connie Mueller, Project Leader
Waubay NWR Complex
605-947-4521 office

Current, Rhonda

From: Mueller, Connie <connie_mueller@fws.gov>
Sent: Thursday, June 06, 2013 2:43 PM
To: Pickle, Joyce E.
Subject: BSSE Route

Joyce,

Kulm and Sand Lake reported they have no new easements beyond what was included on the map Sue Kvas provided. Waubay does, but I don't have that ready to go yet. Will get it to you as soon as I can. Since we get annual updates from Sue Kvas we usually don't map them ourselves. It is taking longer than I expected.

Connie

--

Connie Mueller, Project Leader
Waubay NWR Complex
605-947-4521 office

Current, Rhonda

From: Mueller, Connie <connie_mueller@fws.gov>
Sent: Thursday, June 20, 2013 1:36 PM
To: Pickle, Joyce E.
Subject: Re: new easements

Joyce,

Thanks for your patience. All of the files have been checked, and to date there is only one additional easement which has been signed and falls on the BSSE line. This is a grassland easement located at the legal description: [REDACTED] less the gravel pit

The wetlands were previously protected and will be shown on the information provided by HAPET.

The other ones I mentioned earlier are in various stages of the process. If any of them are signed in the future, I will let you know.

Connie

On Fri, Jun 14, 2013 at 11:19 AM, Pickle, Joyce E. <Joyce.Pickle@hdrinc.com> wrote:

Thanks Connie, I appreciate the update. I'll look forward to more information once the status is available to you.

Thanks and have a good weekend!

Joyce

From: Mueller, Connie [mailto:connie_mueller@fws.gov]
Sent: Thursday, June 13, 2013 4:24 PM
To: Pickle, Joyce E.
Subject: new easements

Joyce,

There are four properties which this office has submitted as easement evaluations recently which would touch the proposed route which you provided. Some of these may have had offers made, and declined. To avoid providing you incorrect information, I have asked the realty office to provide me the current status of these properties. As soon as I hear back I will let you know. To provide you a sense of scope - two of them have

wetland easements being considered and three have grassland easements under consideration.

Connie

--

Connie Mueller, Project Leader

Waubay NWR Complex

605-947-4521 office

--

Connie Mueller, Project Leader

Waubay NWR Complex

605-947-4521 office



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
420 South Garfield Avenue, Suite 400
Pierre, South Dakota 57501-5408



July 24, 2013

Mr. Chad Miller
Montana-Dakota Utilities Company
400 North Fourth Street
Bismarck, North Dakota 58501-4092

Re: Big Stone South to Ellendale 345 kV
Transmission Line Project

Dear Mr. Miller:

This letter is in response to your informational letter dated May 6, 2013, that identifies preferred routes for the above referenced project involving the construction of a new 345 kV transmission line from Big Stone South in South Dakota to the Ellendale substation in North Dakota. The U.S. Fish and Wildlife Service (Service) has provided previous comments on this project and has participated in meetings and conference calls for this project. The preferred route will pass through Grant, Day, and Brown Counties in South Dakota and through Dickey County in North Dakota. This letter will serve as a response for the Service in both North Dakota and South Dakota as well as from both Ecological Services and Refuges Divisions.

According to the National Wetlands Inventory map (available online at <http://wetlands.fws.gov/>), wetlands exist in the proposed project area. If a project may impact wetlands or other important fish and wildlife habitats, the Service, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347) and other environmental laws and rules, recommends complete avoidance of these areas, if possible; then minimization of any adverse impacts; and finally, replacement of any lost acres; in that order. Alternatives should be examined and the least damaging practical alternative selected. If wetland impacts are unavoidable, a mitigation plan addressing the number and types of wetland acres to be impacted and the methods of replacement should be prepared and submitted to the resource agencies for review.

The location of your project falls within an area under the jurisdiction of the Service's Waubay, Sand Lake, and Kulm Wetland Management Districts (WMD). The Waubay WMD administers easements and fee title properties in Grant and Day Counties, the Sand Lake WMD administers Brown County, and the Kulm WMD administers Dickey County. You have previously requested and been provided a map depicting Service interest lands at the proposed project site. For any additional restrictions that may apply regarding these sites, the single point of contact for the WMDs will be the Waubay WMD. Please contact Connie Mueller at the Service's Waubay WMD, 44401 134A Street, Waubay, South Dakota 57273, Telephone No. (605) 947-4521.

In accordance with section 7(c) of the Endangered Species Act (ESA), as amended, 16 U.S.C. 1531 et seq., we have determined that the following federally listed species may occur in the project area (this list is considered valid for 90 days). Specific information on locations has already been provided for this project.

<u>Species</u>	<u>Status</u>	<u>Expected Occurrence</u>
Whooping crane (<i>Grus americana</i>)	Endangered	Migration.
Topeka shiner (<i>Notropis topeka</i>)	Endangered	Known resident.
Dakota skipper (<i>Hesperia dacotae</i>)	Candidate	Resident in native prairie, northeastern South Dakota and southwestern North Dakota.
Poweshiek skipperling (<i>Oarisma poweshiek</i>)	Candidate	Resident in native prairie, northeastern South Dakota and southwestern North Dakota.

Whooping cranes migrate through the Dakotas on their way to northern breeding grounds and southern wintering areas. They occupy numerous habitats such as cropland and pastures; wet meadows; shallow marshes; shallow portions of rivers, lakes, reservoirs, and stock ponds; and both freshwater and alkaline basins for feeding and loafing. Overnight roosting sites frequently require shallow water in which to stand and rest. Should construction occur during spring or fall migration, the potential for disturbances to whooping cranes exists. Disturbance (flushing the birds) stresses them at critical times of the year. We recommend remaining vigilant for these birds. There is little that can be done to reduce disturbance besides ceasing construction at sites where the birds have been observed. The birds normally do not stay in any one area for long during migration. Any whooping crane sightings should be reported to this office.

A short portion of the western segment of the proposed transmission line may be located inside the whooping crane migration corridor where 95 percent of confirmed sightings have occurred. We have enclosed the “*Region 6 Guidance for Minimizing Effects from Power Line Projects Within the Whooping Crane Migration Corridor*” to assist in the design of your project. In accordance with those guidelines, we recommend that you follow those guidelines, including development of compliance monitoring plans that are shared with the Service. We encourage you to work with the respective Ecological Services Field Offices in each state if there are questions whether to mark portions of the line near wetland areas outside the 95 percent migration corridor that may still be attractive to whooping cranes.

Topeka shiners are known to occupy numerous small streams within eastern South Dakota and are concentrated within the Big Sioux, Vermillion, and James River watersheds. If any instream construction is necessary for this project, additional measures may be necessary to ensure that adverse impacts to the Topeka shiner are not incurred as a result of this project.

The Dakota skipper may occur along the project route. The Dakota skipper is a candidate species and accordingly is not provided Federal protection under the ESA. Their candidate status defines this butterfly as a species in decline that the Service believes warrants listing as either threatened or endangered, and the Service expects to make a listing decision prior to the proposed construction date of 2016-2019. Dakota skippers are obligate residents of high quality prairie ranging from wet-mesic tallgrass prairie to dry-mesic mixed grass prairie. In northeastern South Dakota, Dakota skippers inhabit dry-mesic hill prairies with abundant purple coneflower but also use mesic to wet-mesic tallgrass prairie habitats characterized by wood lily and smooth camas. Dakota skippers have been documented from Brown, Day, and Grant Counties.

The Poweshiek skipperling is a candidate species and accordingly is not provided Federal protection under the ESA. Their candidate status defines this butterfly as a species in decline that the Service believes warrants listing as either threatened or endangered, and the Service expects to make a listing decision prior to the proposed construction date of 2016-2019. Preferred nectar plants include yellow ox-eye and purple coneflower. They also use tickseed, black-eyed susan, and pale-spike lobelia. Larval food plants are assumed to include spike-rush, sedges, prairie dropseed, and little bluestem. The habitat of Poweshiek skipperlings includes native tallgrass prairie, fens, grassy lake and stream margins, moist meadows, and wet-mesic to dry tallgrass prairie. They have a low dispersal capability, so fragmented and isolated prairie remnants are unlikely to be repopulated. They are vulnerable to extreme weather conditions, dormant season fire, and other disturbances (e.g., intense cattle grazing). Poweshiek skipperlings have been found in Day and Grant Counties.

If the Federal action agency or their designated representative determines that the project will have "no effect" on federally listed species, Service concurrence is not necessary per section 7 of the ESA. If a "may affect - not likely to adversely affect" determination is made for this project, it should be submitted to this office for concurrence. If the Federal action agency or their designated representative determines that this project "may adversely affect" listed species in South Dakota, it should request formal consultation from this office. For more information regarding Federal action agency responsibilities as related to section 7 of the ESA, please refer to the Service's Endangered Species Act Consultation Handbook, available online at <http://www.fws.gov/endangered/consultations/index.html>.

The proposed project involves new construction in an area that appears to be relatively undeveloped, although it will primarily be adjacent to an existing roadway which undoubtedly subjects the site to some level of human disturbances. Nonetheless, the potential for impacts to migratory birds exists in the path of the new alignment; therefore, we recommend initiation of project construction or soil disturbance activities outside of the primary breeding season for most migratory birds (approximately mid-April to mid-July) if possible.

The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, and transportation (among other actions) of migratory birds, their eggs, parts, and nests, except when specifically permitted by regulations. While the MBTA has no provision for allowing unauthorized take, the Service realizes that some birds may be killed during construction of the project even if all known reasonable and effective measures to protect birds are used. The Service's Office of Law Enforcement carries out its mission to protect migratory birds through investigations and enforcement as well as by fostering relationships with individuals, companies, and industries that have taken effective steps to avoid take of migratory birds and by encouraging others to implement measures to avoid take of migratory birds. It is not possible to absolve individuals, companies, or agencies from liability even if they implement bird mortality avoidance or other similar protective

measures. However, the Office of Law Enforcement focuses its resources on investigating and prosecuting individuals and companies that take migratory birds without identifying and implementing all reasonable, prudent, and effective measures to avoid that take. Companies are encouraged to work closely with Service biologists to identify available protective measures when developing project plans and/or avian protection plans and to implement those measures prior to/during construction, operation, or similar activities.

To the extent practicable, we recommend scheduling construction for late summer or fall/early winter to minimize disruption of migratory birds during the breeding season, February 1 to July 15. If work is proposed to take place during the breeding season, there may be take of migratory birds, their eggs, or active nests. Alternatively, a qualified biologist could conduct bird/nest surveys within five days prior to the initiation of construction. If active nests are identified, the project proponent should cease construction, maintain a sufficient buffer around active nests to avoid disturbing breeding activities, and contact the Service immediately. The Service recommends implementation of all practicable measures to avoid all take, such as suspending construction where necessary and/or maintaining adequate buffers to protect the birds until the young have fledged. The Service further recommends that, if you choose to conduct field surveys for nesting birds with the intent of avoiding take, you maintain any documentation of the presence of migratory birds, eggs, and active nests along with information regarding the qualifications of the biologist(s) performing the survey(s) and any avoidance measures implemented at the project site. We encourage your companies to conduct surveys for colonial nesting birds along the preferred route and avoid impacting colonies, if found, during the nesting season.

If changes are made in the project plans or operating criteria, or if additional information becomes available, the Service should be informed so that the above comments can be reconsidered.

The Service appreciates the opportunity to provide comments. If you have any questions regarding these comments, please contact Charlene Bessken of this office at (605) 224-8693, Extension 231.

Sincerely,



Scott V. Larson
Field Supervisor
South Dakota Field Office

Enclosure

cc: FWS/Waubay WMD; Waubay, SD
(Attention: Connie Mueller)
FWS/Sand Lake WMD; Columbia, SD
(Attention: Harris Hoistad and Jay Peterson)
FWS/Kulm WMD; Kulm, ND
(Attention: Michael Erickson)
FWS/ND ES Field Office; Bismarck, ND
(Attention: Jeff Towner and Heidi Riddle)



IN REPLY REFER TO:
FWS/R6
ES

United States Department of the Interior

FISH AND WILDLIFE SERVICE Mountain-Prairie Region



MAILING ADDRESS:
P.O. Box 25486, DFC
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Boulevard
Lakewood, Colorado 80228-1807

'FEB 04 2010

Memorandum

To: Field Office Project Leaders, Ecological Services, Region 6
Montana, North Dakota, South Dakota, Nebraska, Kansas

From: Assistant Regional Director, Ecological Services, Region 6

Subject: Region 6 Guidance for Minimizing Effects from Power Line Projects Within the Whooping Crane Migration Corridor

This document is intended to assist Region 6 Ecological Services (ES) biologists in power line (including generation lines, transmission lines, distribution lines, etc.) project evaluation within the whooping crane migration corridor. The guidance contained herein also may be useful in planning by Federal action agencies, consultants, companies, and organizations concerned with impacts to avian resources, such as the Avian Power Line Interaction Committee (APLIC). We encourage action agencies and project proponents to coordinate with their local ES field office early in project development to implement this guidance.

The guidance includes general considerations that may apply to most, but not every, situation within the whooping crane migratory corridor. Additional conservation measures may be considered and/or discretion may be applied by the appropriate ES field office, as applicable. We believe that in most cases the following measures, if implemented and maintained, could reduce the potential effects to the whooping crane to an insignificant and/or discountable level. Where a Federal nexus is lacking, we believe that following these recommendations would reduce the likelihood of a whooping crane being taken and resulting in a violation of Endangered Species Act (ESA) section 9. If non-Federal actions cannot avoid the potential for incidental take, the local ES field office should encourage project proponents to develop a Habitat Conservation Plan and apply for a permit pursuant to ESA section 10(a)(1)(B).

Finally, although this guidance is specific to impacts of power line projects to the whooping crane within the migration corridor, we acknowledge that these guidelines also may benefit other listed and migratory birds.

If you have any questions, please contact Sarena Selbo, Section 7 Coordinator, at (303) 236-4046.

Region 6 Guidance for Minimizing Effects from Power Line Projects Within the Whooping Crane Migration Corridor

- 1) Project proponents should avoid construction of overhead power lines within 5.0 miles of designated critical habitat and documented high use areas (these locations can be obtained from the local ES field office).
- 2) To the greatest extent possible, project proponents should bury all new power lines, especially those within 1.0 mile of potentially suitable habitat¹.
- 3) If it is not economically or technically feasible to bury lines, then we recommend the following conservation measures be implemented:

a) Within the 95-percent sighting corridor (see attached map)

- i) Project proponents should mark² new lines within 1.0 mile of potentially suitable habitat and an equal amount of existing line within 1.0 mile of potentially suitable habitat (preferably within the 75-percent corridor, but at a minimum within the 95-percent corridor) according to the U.S. Fish and Wildlife Service (USFWS) recommendations described in APLIC 1994 (or newer version as updated).
- ii) Project proponents should mark replacement or upgraded lines within 1.0 mile of potentially suitable habitat according to the USFWS recommendations described in APLIC 1994 (or newer version as updated).

b) Outside the 95-percent sighting corridor within a State's borders

Project proponents should mark new lines within 1.0 mile of potentially suitable habitat at the discretion of the local ES field office, based on the biological needs of the whooping crane.

c) Develop compliance monitoring plans

Field offices should request written confirmation from the project proponent that power lines have been or will be marked and maintained (i.e., did the lines recommended for marking actually get marked? Are the markers being maintained in working condition?)

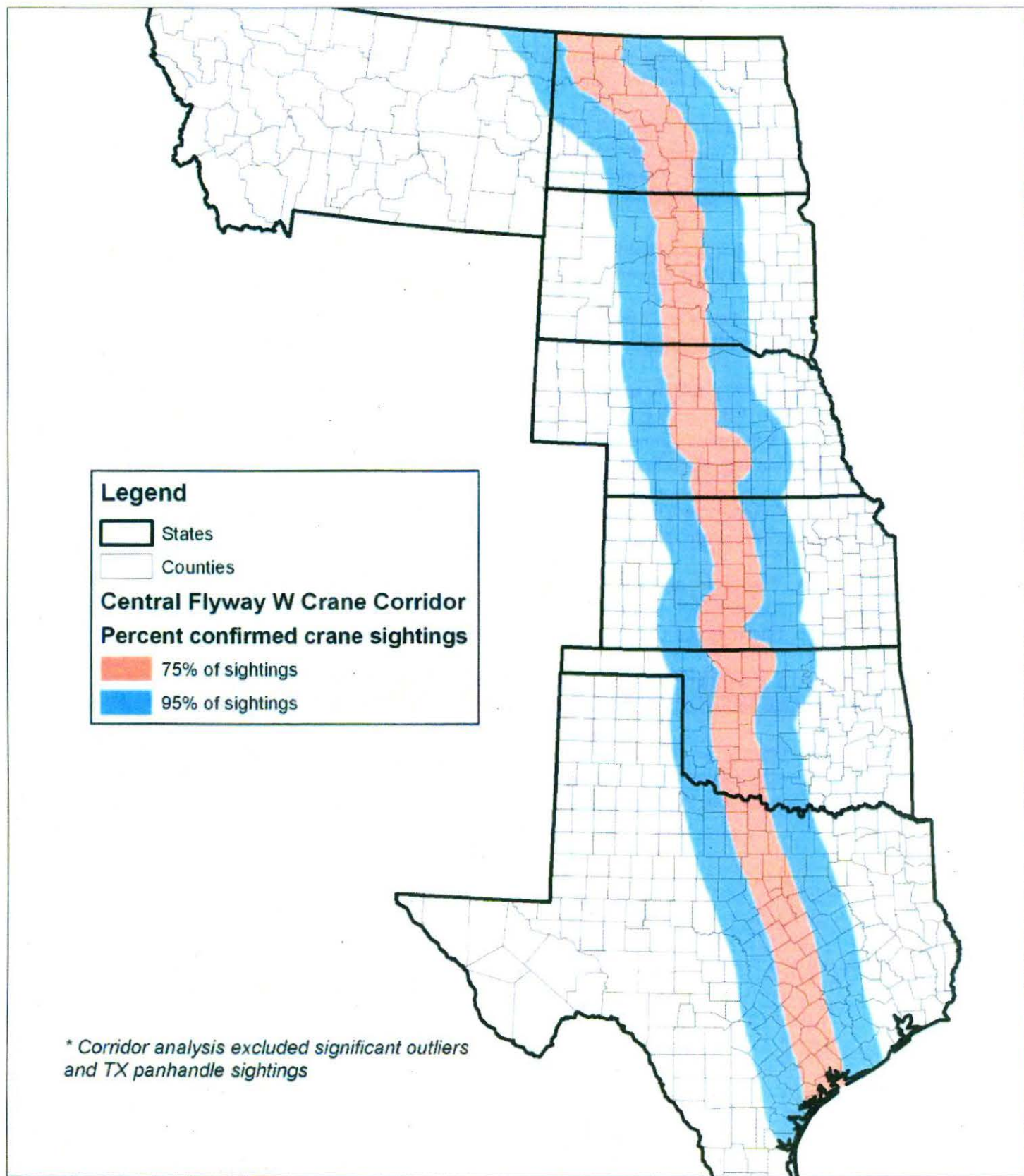
¹ Potentially suitable migratory stop over habitat for whooping cranes includes wetlands with areas of shallow water without visual obstructions (i.e., high or dense vegetation) (Austin & Richert 2001; Johns et al. 1997; Lingle et al. 1991; Howe 1987) and submerged sandbars in wide, unobstructed river channels that are isolated from human disturbance (Armbruster 1990). Roosting wetlands are often located within 1 mile of grain fields. As this is a broad definition, ES field office biologists should assist action agencies/applicants/companies in determining what constitutes potentially suitable habitat at the local level.

² Power lines are cited as the single greatest threat of mortality to fledged whooping cranes. Studies have shown that marking power lines reduces the risk of a line strike by 50 to 80 percent (Yee 2008; Brown & Drewien 1995; Morkill & Anderson 1991). Marking new lines and an equal length of existing line in the migration corridor maintains the baseline condition from this threat.



U.S. Fish & Wildlife Service

United States Central Flyway Whooping Crane Migration Corridor *



Produced for Ecological Services
Grand Island, NE
Current to: 2008
Basemap (Date): U.S. Counties
Meridian:
File:

0 70 140 280 420 560 Miles



Literature Cited

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- Yee, M.L. 2008. Testing the effectiveness of an avian flight diverter for reducing avian collisions with distribution power lines in the Sacramento Valley, California. California Energy Commission; Publication CEC-500-2007-122.

Current, Rhonda

From: Dianne Desrosiers <DianneD@SWO-NSN.GOV>
Sent: Friday, March 29, 2013 11:46 AM
To: Pickle, Joyce E.
Cc: Jim Whitted; Waste'Win Young; Terry Clouthier
Subject: RE: Big Stone South to Ellendale Transmission Line Project - 1 of 6

Joyce

Good morning, I wanted to touch base with you before the Easter holiday. After review of the maps we believe Route A (in the red on the attached map) is the least intrusive with regard to cultural resources, due to the high volume of cultivated lands. If you have any questions please contact our office. We look forward to hearing from you and our upcoming meeting on May 7, 2013.

From: Pickle, Joyce E. [\[mailto:Joyce.Pickle@hdrinc.com\]](mailto:Joyce.Pickle@hdrinc.com)
Sent: Monday, March 25, 2013 3:24 PM
To: Stanfill, Alan; jmswhitted@yahoo.com; wyoung@standingrock.org; Dianne Desrosiers
Subject: Big Stone South to Ellendale Transmission Line Project - 1 of 6

Hello Dianne, Waste Wi and Jim – Alan let me know that you may have had problems getting the email with attachments that he sent out on March 13th, with maps and tables of land cover along the BSSE transmission line preliminary routes. I am hoping that sending you separate emails with attachments of 10 MB or less will work better. Please let me know if you receive this.

Attached is a table that gives percentage breakdowns of different land covers. Note that we have distinguished between cultivated and non-cultivated. There is also a “no data/cloud cover” category (less than 5% of the area) – this is in areas that we couldn’t make determinations because the aerial data we had was missing information.

The attached map is an index. Basically, Corridor A is the Aberdeen Route
 Corridor B is the route that goes through North Dakota and then south along the Britton corridor, nearest the Keystone Pipeline.
 Corridor C is similar to Corridor B, but takes the route that goes east of the Keystone Pipeline
 Corridor D is the common route – this is the general route that will be taken, independent of whether the Aberdeen or Britton Route is selected.

Five more emails will follow with more detailed maps showing the preliminary routes and land cover.

Let me know if you have any questions.

Sincerely,
 Joyce

JOYCE PICKLE

HDR Engineering, Inc.
 Environmental Project Manager

701 Xenia Avenue South, Suite 600 | Minneapolis, MN 55416
 Office: 763.591.5443 | Mobile: 763.567.3406
joyce.pickle@hdrinc.com | hdrinc.com

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2013.0.2904 / Virus Database: 2641/6203 - Release Date: 03/25/13

Current, Rhonda

From: Miller, Chad <Chad.Miller@mdu.com>
Sent: Thursday, August 16, 2012 8:41 PM
To: Hunker, Brian M.; Siedschlag, Emily
Subject: BSSE- SD Dept of AG comments

Please make sure Bill Smith is contact for future mailings to the SD DEPT of AG

Sincerely,

Chad Miller

From: Bill.Smith@state.sd.us [<mailto:Bill.Smith@state.sd.us>]
Sent: Thursday, August 16, 2012 4:51 PM
To: Miller, Chad
Subject: Request for Information-MDU Ottertail Power Proposed Big Stone South to Ellendale

Chad,

Pam Bergstrom (SD Department of Agriculture) was sent a letter regarding this project. Pam is no longer employed by our Department.

After reviewing your letter, I do not have any comments regarding this project.

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

Sincerely,

Bill Smith

From: [Smith, Bill](#)
To: [Pickle, Joyce E.](#)
Subject: RE: BSSE Transmission Line - response requested to preferred route mailing
Date: Monday, July 08, 2013 3:34:48 PM

Joyce,

We have no comments at this time. Please continue to keep us in the loop.

Thanks,

Bill Smith

From: Pickle, Joyce E. [mailto:Joyce.Pickle@hdrinc.com]
Sent: Monday, July 08, 2013 3:19 PM
To: ppicha@nd.gov; mary.podoll@nd.usda.gov; Sam.E.Werner@usace.army.mil; karen_anderson@nps.gov; patricia.dressler@faa.gov; Northdakota.Fhwa@dot.gov; jdschumacher@nd.gov; jobserv@nd.gov; kcwanner@nd.gov; ndda@nd.gov; sjdavis@nd.gov; Duttonhefner, Kathy G. (kgduttonhefner@nd.gov); gcfisher@nd.gov; Olson, Paige; richard.pearson@state.sd.us; Smith, Bill; Sarah.Land@state.sd.us; Bergquist, Darin; Roberts, Hunter (TSD); chris.maxwell@state.sd.us
Cc: Miller, Chad
Subject: BSSE Transmission Line - response requested to preferred route mailing

Greetings!

On May 6, 2013, Montana-Dakota Utilities Co. and Otter Tail Power Company mailed a letter to your agency regarding their selected preferred route for the proposed Big Stone South to Ellendale (BSSE) 345 kV transmission line project. The BSSE project team is requesting comment from your agency on the preferred route (see the attached preferred route map) prior to the South Dakota and North Dakota state permit application submittals which are anticipated to be submitted starting in late-August. We would appreciate your review of the preferred route and request that you provide any comments by Friday, July 19, 2013 so we may incorporate them into the application materials and route design.

We appreciate your ongoing participation in this project and look forward to continuing to work with you. If you have questions or comments you would like us to address for the BSSE project, please send a hardcopy, email, or .pdf copy of your response to Chad Miller at (701) 222-7865, chad.miller@mdu.com, or by mail at the address below.

Chad Miller
 Montana-Dakota Utilities Co.
 400 North Fourth Street
 Bismarck, ND 58501-4092

Sincerely,

JOYCE PICKLE

HDR Engineering, Inc.

Environmental Project Manager

701 Xenia Avenue South, Suite 600 | Minneapolis, MN 55416
 Office: 763.591.5443 | Mobile: 763.567.3406
joyce.pickle@hdrinc.com | hdrinc.com

Current, Rhonda

From: Miller, Chad <Chad.Miller@mdu.com>
Sent: Wednesday, August 15, 2012 12:05 PM
To: Hunker, Brian M.; Siedschlag, Emily
Subject: BSSE- SD DENR comments

Sincerely,

Chad Miller

From: Patrick.Snyder@state.sd.us [mailto:Patrick.Snyder@state.sd.us]
Sent: Wednesday, August 15, 2012 11:57 AM
To: Miller, Chad
Cc: John.Miller@state.sd.us
Subject: Big Stone South to Ellendale Project

Chad,

Thanks for the opportunity to comment on the proposed project.

As this project is in the preliminary stages and no exact route has been established, all I can give you some very general comments.

There are numerous streams and lakes that are classified in South Dakota's Surface Water Quality Standards. The specific classified uses and associated water quality standards vary. Additionally, all waterbodies, including wetland, are considered waters of the state and impacts to these waters must be minimized.

When you submit your final plans, the department can provide more detailed comments concerning the waterbodies that may be impacted by this project.

If you have questions, please let me know.

Patrick Snyder
Environmental Scientist IV
South Dakota Department of Environment and Natural Resources



May 29, 2013

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

Chad Miller
Montana-Dakota Utilities Company
400 North Fourth Street
Bismarck, ND 58501-4092

Dear Mr. Miller:

The South Dakota Department of Environment and Natural Resources (DENR) reviewed the proposed Big Stone South to Ellendale 345kV Transmission Line Project. The DENR finds that this construction, using conventional construction techniques, should not cause violation of any statutes or regulations administered by the DENR based on the following recommendations:

1. At a minimum and regardless of project size, appropriate erosion and sediment control measures must be installed to control the discharge of pollutants from the construction site. Any construction activity that disturbs an area of one or more acres of land must have authorization under the General Permit for Storm Water Discharges Associated with Construction Activities. Contact the Department of Environment and Natural Resources for additional information or guidance at 1-800-SDSTORM (737-8676) or <http://denr.sd.gov/des/sw/StormWaterandConstruction.aspx>.
2. A Surface Water Discharge (SWD) permit may be required if any construction dewatering should occur as a result of this project. Please contact this office for more information.
3. These segments of the Elm and Maple Rivers are classified by the South Dakota Surface Water Quality Standards and Uses Assigned to Streams for the following beneficial uses:
 - (1) Domestic water supply waters;
 - (5) Warmwater semi-permanent fish life propagation waters;
 - (8) Limited contact recreation waters;
 - (9) Fish and wildlife propagation, recreation, and stock watering waters; and
 - (10) Irrigation waters.

Because of these beneficial uses, special construction measures may have to be taken to ensure that the total suspended solids standard of 90 mg/L is not violated.

These segments of the James, Big Sioux and Whetstone Rivers are classified by the South Dakota Surface Water Quality Standards and Uses Assigned to Streams for the following beneficial uses:

- (5) Warmwater semi-permanent fish life propagation waters;
- (8) Limited contact recreation waters;
- (9) Fish and wildlife propagation, recreation, and stock watering waters; and
- (10) Irrigation waters.

Because of these beneficial uses, special construction measures may have to be taken to ensure that the total suspended solids standard of 90 mg/L is not violated.

This segment of the North Fork Whetstone River is classified by the South Dakota Surface Water Quality Standards and Uses Assigned to Streams for the following beneficial uses:

- (6) Warmwater marginal fish life propagation waters;
- (8) Limited contact recreation waters;
- (9) Fish and wildlife propagation, recreation, and stock watering waters; and
- (10) Irrigation waters.

Because of these beneficial uses, special construction measures may have to be taken to ensure that the total suspended solids standard of 150 mg/L is not violated.

4. Other tributaries and wetlands may be impacted by this project. These water bodies are considered waters of the state and are protected under the South Dakota Surface Water Quality Standards. The discharge of pollutants from any source, including indiscriminate use of fill material, may not cause destruction or impairment except where authorized under Section 404 of the Federal Water Pollution Control Act. Please contact the U.S. Army Corps of Engineers concerning these permits.

If you have any questions concerning these comments, please contact me at (605) 773-3351.

Sincerely,



John Miller
Environmental Scientist
Surface Water Quality Program



Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

August 14, 2012

Chad Miller, Environmental Scientist
Montana Dakota Utilities
400 North 4th Street
Bismarck, ND 58501

Dear Mr. Miller,

This letter is in response to a request dated 27 July 2012 from Montana-Dakota Utilities and Otter Tail Power Company for review of a proposed 150 to 175 mile long 345 kV transmission line called Big Stone South to Ellendale (BSSE) project. This project is located within all or a portion of eleven counties in northeastern South Dakota.

NATURAL HERITAGE DATA

For more information on species at risk in the project area, please contact the South Dakota Natural Heritage Program. The Natural Heritage Program tracks species at risk and maintains a database of this information. Species at risk are those that are threatened, endangered (according to statute) or considered rare. Rare species are those that are declining and restricted to limited habitat, peripheral to a jurisdiction, isolated or disjunct due to geographic or climatic factors or that are classified as such due to lack of survey data. A list of the species monitored by the South Dakota Natural Heritage Program can be found at <http://gfp.sd.gov/wildlife/threatened-endangered>. Please contact our Database Manager, Casey Mehls at (605) 773-4345 or Casey.Mehls@state.sd.us to request a search of the database for records within the proposed project area. Please note that the absence of a species from the database does not preclude its presence in an area. Many places in South Dakota have not been surveyed for rare or protected species.

The following provides information on ecoregions and habitat important to South Dakota's wildlife that may be affected by the proposed project. In addition, we identify specific species or species-groups that may be affected by the proposed project. Recommendations are provided to avoid impacts to these habitats and species.

ECOREGIONS

A large portion of the Prairie Coteau ecoregion lies within the proposed project boundary. This ecoregion is unique to South Dakota (Bryce et al. 1998). Created by glaciers and lacking a drainage pattern, the hilly landscape has abundant seasonal, semi-permanent and permanent wetlands. The latter were formed in areas with little ice shear; many of these wetlands form a dense chain of lakes in this ecoregion. Precipitation levels (20-22 inches average annual) allow for woody (oak) growth around wetland margins increasing habitat and wildlife species diversity in the area. Potential

Phone: (605) 773-4192 FAX: (605) 773-6245

natural vegetation includes big and little bluestem, switchgrass, indiangrass, and blue grama.

GRASSLANDS

The proposed project area as well as the Prairie Coteau is located within the tall-grass prairie zone. Native grasslands within this zone are decreasing at an alarming rate. In South Dakota, less than one percent of native tall-grass prairie habitat remains (Samson et al. 1998). Tall-grass prairie is considered one of the most endangered resources in North America (Samson et al. 2004). Tall-grass prairie remnants occur in the proposed project area. The undulating, hilly landscape of the Prairie Coteau has made tillage in this ecoregion difficult and tracts of native tall-grass prairie remain on this coteau. These areas have high conservation value, especially areas with a high diversity of both plant and animal species where invasive plant species are limited or absent. We would suggest the routing of the proposed transmission line should avoid native prairie tracts in the Prairie Coteau ecoregion.

PRAIRIE BUTTERFLIES

The presence of prairie-obligate butterfly species is a good indicator of high quality prairie. Four rare prairie butterfly species are located within the proposed project area. These species are monitored by our Natural Heritage Program and include the following: Dakota skipper, ottoe skipper, poweshiek skipperling, and regal fritillary. Protection of remaining tracts of native prairie and associated nectar sources and larval host plants is required for the conservation of these rare butterfly species. There are potential disturbances to prairie butterfly species associated with the construction and maintenance of a transmission line. Increased activity and ground disturbance increases the chances of non-native, invasive plant species invasion. Chemical control of non-native, invasive species is a known threat to some butterfly species. Construction in prairie butterfly habitat should be avoided.

INVASIVE SPECIES

Disturbance to native vegetation should be kept to a minimum. Any areas disturbed should be revegetated using native seed sources. The Natural Resource Conservation Service Plant Materials Center in Bismarck, ND may serve as a good source of information on native plantings (<http://plant-materials.nrcs.usda.gov/ndpmc/>). Information on where to get native seeds and how and why to establish them can be found at the following links:

- Conservation Seed/Plant Vendors List
 - <http://www.plant-materials.nrcs.usda.gov/pubs/ndpmcmt8152.pdf>
- Prairie Landscaping Seed/Plant Vendors List
 - <http://www.plant-materials.nrcs.usda.gov/pubs/ndpmcmt8151.pdf>
- Origins of Native Grass and Forb Releases
 - <http://www.plant-materials.nrcs.usda.gov/pubs/ndpmctn6786.pdf>
- Five Reasons to Choose Native Grasses
 - <http://www.plant-materials.nrcs.usda.gov/pubs/ndpmctn7875.pdf>

WETLANDS

The proposed project area is located within the Prairie Pothole region. This glaciated region, characterized by high densities of wetland basins of various depths and sizes, extends from Iowa into Minnesota, the Dakotas, Montana, and parts of Canada. It is the major waterfowl production area in North America. Wetland losses in the Prairie Pothole Region are staggering and range from 99% in Iowa to 35% in South Dakota. The Prairie Coteau ecoregion of the Prairie Pothole has some of the highest (>420 basins/10 mi²) wetland basin densities in South Dakota (Johnson and Higgins 1997). More specifically, this area is known to have some of the highest densities (>30 basins/10 miles²) of natural semipermanent and permanent wetland basins in the state. In addition, natural permanent wetland basins of a variety of sizes are most dense in the northern portion of the Prairie Coteau. The large natural, permanent basins (lakes) are concentrated in a chain which extends along the north-south axis of the Prairie Coteau. In times of drought, these permanent lakes serve as stronghold for wetland-dependant wildlife.

Permanent lakes in the northeastern portion of the state provide excellent habitat for nesting waterbirds such as herons, grebes, egrets, etc. Some of the largest (> 200 nesting pairs) and most permanent waterbird nesting colonies in the state are located in the proposed project area (Drilling 2008). Waterbirds have difficulty navigating power lines especially during take off and landing. Also, waterfowl and other birds often make daily and seasonal movements over narrow strips of land or "passes" between wetlands and wetland complexes; placement of power lines along these narrow passes should be avoided. Placement of above-ground transmission lines should avoid spanning large wetlands nor should they be placed between wetlands or wetland complexes. We recommend placing new transmission lines along existing corridors such as within existing disturbed areas such as road right-of-ways that do not currently intersect wetlands or run along narrow pieces of land between wetlands or wetland complexes.

BIRD STRIKES

Strikes with above ground power lines are a known cause of bird mortality (Erickson et al. 2005). Waterfowl (ducks, geese, swans, and cranes), raptors, and passerines are species most susceptible to power line collisions. Electrocution of birds that perch, roost, or nest on power lines continues to be a source of mortality especially for eagles, hawks, and owls ((APLIC) 2006).

The Avian Power Line Interaction Committee (APLIC) has developed two documents that provide useful information on how to reduce power line strikes and electrocutions:

- *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006* and
- *Mitigating Bird Collisions with Power Lines*.

Both of these documents are available from the Edison Institute (<http://www.aplic.org>).

PUBLIC LANDS

Game Production Areas and Water Access Areas are purchased, managed, and utilized as wildlife habitat and for public hunting. Wildlife use of these areas may be affected by transmission line placement. Thus, we recommend avoidance of these areas.

Several U.S. FWS managed lands are found within the proposed project area including Waubay National Wildlife Refuge and Wetland Management District and Sand Lake National Wildlife Refuge and Wetland Management District. I would encourage you to contact both entities for any information on or concerns regarding U.S. FWS managed lands including grassland and wetland easements that may be in the proposed project area.

- Waubay National Wildlife Refuge; 44401 134A Street; Waubay, SD, 57273; Phone: 605-947-4521
- Sand Lake National Wildlife Refuge; 39650 Sand Lake Drive; Columbia, SD 57433; Phone: 605- 885-6320

Northeastern South Dakota has numerous tracts of these and other types of public lands. The location of these lands can be found online at <http://www.sdgifp.info/Wildlife/PublicLands/PubLand.htm>.

ENDANGERED OR THREATENED SPECIES

This proposed project location is within the migration route of the 'Aransas National Wildlife Refuge to Wood Buffalo National Park' population of whooping cranes. This species is protected as endangered under both state and federal laws. Placement of power lines in this area could increase the chances of power line strikes and electrocutions. The Endangered Species Act is administered by the U.S. Fish and Wildlife Service (USFWS). As such, I recommend contacting the USFWS Ecological Services Field Office in Pierre, SD for further information (605-224-8693 or southdakotafieldoffice@fws.gov).

The Topeka shiner is a federally endangered species that occupies a high percentage of known historic locations in South Dakota (Shearer 2003). The Topeka shiner is found in the proposed project area. Landscape alterations that occur during construction projects, etc. can cause land erosion and alter the sediment load and water regime of prairie streams affecting habitat available to fish, e.g., Topeka shiners. South Dakota Game, Fish & Parks, in collaboration with the USFWS developed the Topeka Shiner Management Plan (<http://stage.sdgifp.info/Wildlife/Diversity/Topeka%20Shiner/TopekaShinerManagementPlan-Revised.pdf>). Please contact the USFWS Ecological Services Field Office in Pierre, SD for more information.

The Dakota skipper requires native mid- to tall-grass prairie and is currently found on rolling rangeland with abundant wetlands. Current threats to this species include, but are not limited to, improper land management uses, agricultural cultivation, road

construction, and invasive plant species. The Dakota skipper is reduced to scattered populations in fragmented prairies unsuitable for agricultural production, mostly in glacial hills that are too steep or rocky to plow. South Dakota populations are important to the existence of this species. This species is a candidate for listing under the Endangered Species Act (ESA). As such, please contact the USFWS Ecological Services Field Office in Pierre, SD.

Our records indicate bald eagles are nesting in the proposed project area. Migrant bald eagles may also be found in this area in the spring and fall. Please note that the bald eagle is state protected as a threatened species. This species is also protected by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) which are both administered by the USFWS. The USFWS Ecological Services Field Office in Pierre can provide guidance regarding MBTA and BGEPA.

PRAIRIE GROUSE

Two grassland bird species of management interest to South Dakota Department of Game, Fish and Parks (SDGFP) that may be found in the proposed project area are the sharp-tailed grouse and greater prairie-chicken. The sharp-tailed grouse is a species that prefers grassland habitat (mid- to tall-grasses) with brushy draws and thickets. Deterioration of native grasslands, reduction of nesting and brood rearing cover, and variable climatic factors are limiting factors for this species. The greater prairie-chicken is species prefers tall- to mixed-grass prairies. Loss and fragmentation of tall-grass prairie are considered reason for population declines. These species are known to be area-sensitive, requiring comparatively large tracts of open, contiguous grassland. The lesser prairie chicken, a similar species found in the southern Great Plains, avoids nesting within 400 m of transmission lines or improved roads (Pitman et al. 2005). This information should be considered when determining placement of these structure types as they may also negatively affect greater prairie-chickens.

As outlined above, we have identified potential areas of concern that we would suggest the BSSE project consider when regarding the siting of the proposed transmission line. In sum these include potential impacts to remaining tracts of native prairie, behavior modifications of wetland-dependent species such as water birds and waterfowl, bird strikes and electrocutions, increased probability of invasive plant species establishment, and degradation of public lands managed for wildlife. Species present or likely to be present in the proposed project area have been identified that are protected under specific state or federal statutes that significantly contribute to the diversity of the proposed project area.

Because of the potential impacts the placement of the proposed project may have on unique and declining habitats in the region and their associated wildlife species, it is recommended that routing avoid native prairie areas and areas of high wetland concentration. It is also recommended that placement of the proposed project utilize to the maximum extent possible currently disturbed areas (e.g. road ditches, cultivated areas, etc.) or collocated with existing power lines.

The SDGFP appreciates the opportunity to provide comments and we look forward to working with you and providing information as needed. Please send me the information on the upcoming meeting being planned in Pierre at tom.kirschenmann@state.sd.us. If you have any questions on the above comments, please feel free to contact Silka Kempema of my staff at 605-773-2742 or Silka.Kempema@state.sd.us.

Best regards,



Tom Kirschenmann
Chief of Terrestrial Resources

Literature Cited

- Avian Power Line Interaction Committee (APLIC). 2006. Suggested Practices for Avian Protections on Power Lines: The State of the Art in 2006. Edison Electric Institute, APLIC and the California energy Commission, Washington, D.C. and Sacramento, CA.
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<http://www.npwrc.usgs.gov/resource/habitat/grlands/index.htm> (Version 21JAN2000), Jamestown, ND: Northern Prairie Wildlife Research Center Online.
- Samson, F. B., F. L. Knopf, and W. R. Ostlie. 2004. Great Plains ecosystems: past, present, and future. *Wildlife Society Bulletin* 32:6-15.
- Shearer, J. S. 2003. Topeka shiner (*Notropis topeka*) management plan for the state of South Dakota. South Dakota Department of Game, Fish and Parks, Pierre, Wildlife Division Report No. 2003-10, 82 pp.

**CC: Scott Larson, Field Supervisor, U. S. Fish and Wildlife Service, Ecological Services
South Dakota Field Office, Pierre, SD**

**Connie Mueller, Project Leader, U. S. Fish and Wildlife Service Waubay National
Wildlife Refuge and Wetland Management District, Waubay, SD**

**Harris Hoistad, Project Leader, U. S. Fish and Wildlife Service, Sand Lake National
Wildlife Refuge and Wetland Management District, Attention**

**Casey Mehls, Natural Heritage Database Manager, South Dakota Department of Game,
Fish and Parks, Pierre, SD.**



DEPARTMENT of GAME, FISH, AND PARKS

Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

October 31, 2012

Chad Miller
Montana Dakota Utilities Co.
400 North Fourth Street
Bismarck, ND 58501-4092

Dear Mr. Miller,

Thank you for the invitation to the public meetings held in northeast South Dakota to study and discuss corridors for locating future transmission lines related to the Big Stone South to Ellendale project. As you are likely aware, Game, Fish and Parks staff attended two meetings, Aberdeen and Milbank, and shared concerns of transmission lines encountering Game Production Areas.

As I understand, there will be future meetings in early 2013 to further discuss transmission line routes once MDU has had more time to refine locations/routes after receiving the additional input from your public meetings. We look forward to reviewing the refined information and continued dialogue with MDU during this process.

Please feel free to share additional information with us as it develops and the times and locations of future meetings.

Best regards,

A handwritten signature in dark ink, appearing to read "Tom Kirschenmann", written over a horizontal line.

Tom Kirschenmann
Terrestrial Resources Chief



Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

11 June 2013

Chad Miller, Environmental Scientist
Montana Dakota Utilities
400 North 4th Street
Bismarck, ND 58501

Dear Chad Miller,

This letter is in response to a request dated 6 May 2013 from Montana-Dakota Utilities and Otter Tail Power Company for additional feedback on the preferred route of the proposed 150 to 175 mile long 345 kV transmission line called Big Stone South to Ellendale (BSSE) project. This project is located in northeastern South Dakota.

Based on review of the paper map provided on 6 May 2013 and information found on the project website, the preferred route will not cross or be in close proximity to lands owned and managed by the South Dakota Department of Game, Fish and Parks (SDGFP). Please let us know if this changes.

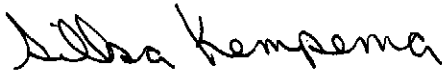
Prairie grouse and waterbirds are two species groups that are of management concern to the SDGFP. We support your decision to conduct surveys for prairie grouse leks. If a lek is present, we recommend a minimum one-mile buffer be maintained between the lek and the power line. We also recommend that a timing restriction on construction activity be adhered to within a two mile buffer of leks. This means that construction activity would not occur during a three hour period starting at sunrise from 1 March through 30 June. This is to avoid disturbance to birds attending the lek.

In addition, please refer to the information we provided on colonial nesting waterbirds and secretive marshbirds. If colonies of either of these species groups are found along the preferred route, we recommend that a half-mile buffer should be maintained between the colony and the transmission line during construction and that lines are sufficiently marked to reduce bird strikes. The most current published science and technical information on reducing bird collisions with power lines has been summarized and published in an update of "*Mitigating Bird Collisions with Power Lines*" This version was published in 2012 and is available at <http://www.aplic.org>.

The SDGFP appreciates the opportunity to provide comments. If you have any questions on the above comments, please feel free to contact me at 605-773-2742 or Silka.Kempema@state.sd.us.

Phone: (605) 773-4193 FAX: (605) 773-6245

Regards,

A handwritten signature in black ink, appearing to read "Silka Kempema". The signature is fluid and cursive, with the first name "Silka" written in a larger, more prominent script than the last name "Kempema".

Silka Kempema
Wildlife Biologist

CC: Scott Larson, Field Supervisor, U. S. Fish and Wildlife Service, Ecological Services
South Dakota Field Office, Pierre, SD

Connie Mueller, Project Leader, U. S. Fish and Wildlife Service Waubay National
Wildlife Refuge and Wetland Management District, Waubay, SD

Harris Hoistad, Project Leader, U. S. Fish and Wildlife Service, Sand Lake National
Wildlife Refuge and Wetland Management District, Attention

Casey Mehls, Natural Heritage Database Manager, South Dakota Department of Game,
Fish and Parks, Pierre, SD.

Current, Rhonda

From: Miller, Chad <Chad.Miller@mdu.com>
Sent: Friday, August 10, 2012 8:34 AM
To: Hunker, Brian M.; Siedschlag, Emily
Subject: FW: BSSE-SD Emergency Management Comment email

Sincerely,

Chad Miller

From: Miller, Chad
Sent: Friday, August 10, 2012 8:32 AM
To: 'Sarah.Land@state.sd.us'
Subject: RE: Request for Information Big Stone South to Ellendale Transmission Line Project

Sara, thank you for the information. This will be helpful as we develop our routes and start our stakeholder and public meetings. Thanks again, I appreciate it.

Sincerely,

Chad Miller

From: Sarah.Land@state.sd.us [<mailto:Sarah.Land@state.sd.us>]
Sent: Thursday, August 09, 2012 4:09 PM
To: Miller, Chad
Subject: Re: Request for Information Big Stone South to Ellendale Transmission Line Project

Chad,

Jon Nesladek forwarded me your letter requesting information on issues for the Montana-Dakota Utilities Co. and Otter Tail Power Company proposed Big Stone South to Ellendale 345kV Transmission Line project in North Dakota and South Dakota. I would like to point you to the local floodplain administrators to ensure that any routes and alternatives comply with the floodplain ordinance that are in place in those counties that are included in your study area. They will be able to determine if the proposal meets the standards of their floodplain ordinances. If it is to go through a city I can give you those contacts as well, since cities also have their own floodplain ordinances in addition to the county.

Brown County
 Gary Vetter
 (605) 626-7144
gvetter@brown.sd.us

Spink County
 Larry Tebben
 (605) 472-4591
Ltebben.spinkem@nrctv.com

Beadle County
 Tom Moeding
 (605) 353-8421

Tomm.bcmgmt@midconetwork.com

Marshall County
JoAnn Goldsmith
(605) 448-5291
mcdirector@venturecomm.net

Day County
Rick Tobin
(605) 380-1275
Ricktobin99@yahoo.com

Clark County
David Paulson
(605) 532-3751
clarkdoe@itctel.com

Roberts County
Scott Currence
(605) 698-3205
roberteq@venturecomm.net

Codington County
Luke Muller
(605) 882-6300
Planning.codcoext@midconetwork.com

Hamlin County
David Schaefer
(605) 783-7831
hamcoem@itctel.com

Grant County
Krista Atyeo-Gortmaker
(605) 432-6532
Krista.atyeo-gortmaker@state.sd.us

Deuel County
Jodi Theisen
(605) 874-8562
dczoning@itctel.com

Thank you,

Sarah Land, MPA
NFIP Coordinator
SD Office of Emergency Management
118 W. Capitol Avenue
Pierre, SD 57501
(605) 773-3231 (P)
(605) 773-3580 (F)

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August 13, 2012

Mr. Chad Miller
Montana-Dakota Utilities Co.
400 North 4th Street
Bismarck, ND 58501

Dear Mr. Miller:

On August 1, 2012, the South Dakota Office of the State Historic Preservation Officer (SHPO) received a request for information from Montana-Dakota Utilities Co. and Otter Tail Power Company concerning the proposed Big Stone South to Ellendale 345-kV Transmission Line Project.

A brief review of our records indicates there are a number of known properties and surveys in Brown, Clark, Codington, Day, Deuel, Grant, Hamlin, Marshall, Roberts and Spink Counties, which have been identified as the study area. Given the size of the study area it is difficult to provide useful information concerning the potential impacts of the project to cultural resources or historic properties.

However, once the route alternatives are established, I would like to provide the following recommendations.

- Complete a records search for the routes to determine if they contain known cultural resources or historic properties. A record search can be obtained at the Archaeological Research Center at (605) 395-1936.
- An on-the-ground survey should be conducted by a qualified archaeologist to relocate known archaeology properties and identify any new archaeology properties that might be impacted. Resources located in the project area should be evaluated for listing on the National Register of Historic Places and avoided during construction activities.
- A reconnaissance level survey should be conducted by an architectural historian to identify structures or building that may be visually impacted by the project. Resources located in the project area should be evaluated for listing on the National Register of Historic Places and avoided during construction activities.
- Contact American Indian tribes in South Dakota and the surrounding states concerning the effects of the project on properties of religious and cultural significance. For your convenience I have enclosed a list of Tribal Chairmen and Tribal Historic Preservation Officers.

Please note that South Dakota Codified Law 34-27-26 prohibits knowingly disturbing human skeletal remains or funerary objects except by a law enforcement officer, coroner or other official designated by law in performance of official duties.

Should you require additional information, please contact Paige Olson at (605) 773-6004. Your concern for the non-renewable cultural heritage of South Dakota is appreciated.

Sincerely,

Jay D. Vogt
State Historic Preservation Officer

A handwritten signature in dark ink, appearing to read "P. Olson", with a stylized, cursive script.

Paige Olson
Review and Compliance Coordinator



July 30, 2013

Mr. Alan Stanfill
HDR Engineering, Inc.
701 Xenia Ave. South Suite 600
Minneapolis, MN 55416

Dear Mr. Stanfill:

Thank you for the opportunity to comment on the document entitled "Level I Records Search for the Big Stone South to Ellendale 345 kV Transmission Line Project, Brown, Day and Grant Counties, South Dakota".

The Level I Records Search indicates there are a number of known cultural resources within the project areas defined as "South Dakota Study Area" (2-mile-wide) and the "South Dakota Option Area" (500-foot-wide). Given this information, I would like to reiterate my original recommendations submitted to Mr. Chad Miller of Montana-Dakota Utilities Company on August 12, 2012, so they may be taken into consideration during the development of the finale Level III survey methodology.

- An on-the-ground survey should be conducted by a qualified archaeologist to relocate known archaeology properties and identify any new archaeology properties that might be impacted. Resources located in the project area should be evaluated for listing on the National Register of Historic Places and avoided during construction activities.
- A reconnaissance level survey should be conducted by an architectural historian to identify structures or building that may be visually impacted by the project. Resources located in the project area should be evaluated for listing on the National Register of Historic Places and avoided during construction activities.

I appreciate your company, on behalf of Montana-Dakota Utilities Company and Otter Tail Power Company, taking into consideration my recommendation to contact American Indian tribes in South Dakota and the surrounding states concerning the effects of the project on properties that may be of religious and cultural significance. I understand from our meeting on May 30, 2013, that your company is working with the Standing Rock Sioux and Sisseton-Wahpeton Oyate Tribal Historic Preservation Officers. I encourage your company to continue working toward a final plan to identify properties important to American Indian tribes.

Please note that South Dakota Codified Law 34-27-26 prohibits knowingly disturbing human skeletal remains or funerary objects except by a law enforcement officer, coroner or other official designated by law in performance of official duties.

I look forward to reviewing the final Level III field survey methodology being developed by your company to identify cultural resources within the project corridor.

Should you require additional information, please contact Paige Olson at (605) 773-6004. Your concern for the non-renewable cultural heritage of South Dakota is appreciated.

Sincerely,

Jay D. Vogt
State Historic Preservation Officer

A handwritten signature in cursive script, appearing to read "P. Olson".

Paige Olson
Review and Compliance Coordinator

Cc: Mr. Henry Ford, Montana-Dakota Utilities Co.
Mr. Dean Pawlowki, Otter Tail Power Company
Ms. Wasté Win Young, Standing Rock Sioux Tribe
Ms. Dianne Desrosiers, Sisseton-Wahpeton Oyate