

2015 FEDERAL THREATENED AND ENDANGERED SPECIES UPDATE

Date: Monday, July 27, 2015

Project: Big Stone South to Ellendale(BSSE) 345kV

To: South Dakota Public Utilities Commission

From: Otter Tail Power Company and Montana-Dakota Utilities Co.

Subject: Threatened and Endangered (T&E) Species Update for 2015

On August 22, 2014, the South Dakota Public Utilities Commission (Commission) issued its Final Order and Amended Stipulation Agreement for the Big Stone South to Ellendale 345kV Transmission Line Project (Project) (Docket EL13-028). Montana-Dakota Utilities Co. and Otter Tail Power Company (jointly, the Applicants) will construct and operate a 160- to 170-mile-long 345 kV transmission line from the new Ellendale 345kV Substation to be built near Ellendale, North Dakota to the Big Stone South Substation near Big Stone City, South Dakota.

According to Stipulation 11 – “Applicant shall promptly report to the Commission the presence of any critical habitat of threatened or endangered species or native grasslands in the siting area that Applicant becomes aware of and that was not previously reported to the Commission.” The purpose of this memo is to notify the Commission of three species that are now listed under the federal Endangered Species Act and may occur within the Project area that were not listed when the Applicants submitted their application and the Commission issued its Order.

On October 23, 2014, the Dakota skipper (*Hesperia dacotae*) and Poweshiek skipperling (*Oarisma poweshiek*) were listed as threatened and endangered, respectively, and on April 2, 2015 the northern long-eared bat (*Myotis septentrionalis*) was listed as threatened by the United States Fish and Wildlife Service (USFWS) under authority of the Endangered Species Act.

Through consultation with the USFWS, the Project was made aware of the potential listings and worked with the USFWS to implement a survey strategy for the Dakota skipper and Poweshiek skipperling and conservation measures for the northern long-eared bat.

The Project conducted the following studies related to the Dakota skipper and Poweshiek skipperling:

- The Project developed a GIS model to map areas of native prairie and other land-uses and conducted a targeted field survey to identify native prairie or grassland habitats that may contain habitat for the listed species. The methods and results are summarized in the Native Habitat Classification Model Memo dated November 20, 2012. This memo was filed with the Commission as Appendix E to the Application.
- The Project conducted surveys for the listed species in July 2013. No protected butterflies were located within the survey areas during this survey. This report was provided to the USFWS and the South Dakota Game, Fish, and Parks in February 2014.

- The Project conducted surveys for the listed species in July 2014. No protected butterflies were located within the survey areas during this survey. This survey update was provided to the USFWS and the South Dakota Game, Fish, and Parks in October 2014.
- The Project has conducted surveys for the Dakota skipper and Poweshiek skipperling in July 2015. No protected butterflies were located within the survey areas during this survey. Currently, this report is being drafted and will be submitted upon completion.

Through consultation with the USFWS, it was determined that tree clearing prior to construction may have the potential to impact the northern long-eared bat. The Project is not located near hibernacula, known maternity roosts, or designated critical habitat. The USFWS stated that clearing trees in the winter will minimize adverse affects to the bat. Per the recommendation of the USFWS, the Project will conduct tree clearing in winter when the bats are hibernating and this will minimize any potential adverse affects.

Therefore, the Project is not anticipated to have an adverse affect upon the listed species. The Project will continue to consult with the USFWS.