Basin Electric Power Cooperative
Williston/Tioga T-line
Pre-construction Meeting Minutes

Meeting date: March 23, 2010
Location: HDQ

Recorder by R. Mucha

This meeting was conducted with Great Southwestern Construction, Inc. (GSW) regarding the Williston/Tioga T-line Project. A list of those attending is attached.

1. PSC presentation
    - Jerry Lein of the PSC reviewed the Order and Tree and Shrub Mitigation Specification with BEPC, & GSW.
    - BEPC will provide a weekly progress report to the PSC. The cutoff date will be Saturdays which will allow the report to be e-mailed to the PSC by Wednesday of the following week.

2. Executed contract and insurance certificates
    - The contract has been executed with the insurance certificate listing BEPC as additional insured.

3. Designation of responsible personnel – line of communication
    - Questions regarding design will be addressed to Duey Marthaller
    - Questions regarding the contract will be addressed to Jon Klein, at a minimum verbal authorization is required to proceed with any changes in scope
    - Curt Semrosk will be on site for GSW

4. Safety
    - The contractor is responsible for his safety program; BEPC will only monitor the contractor's compliance with the contract.
    - Any incident requiring emergency response must be reported to BEPC immediately and all incidents must be reported within 24 hrs.
    - BEPC asks that the weekly safety meeting agenda and attendance roster be given to Mark Winn and that a file of the daily job briefings be maintained in the GSW field office
    - Randall Fettig is the GSW safety representative

5. Survey
    - BEPC surveyors will be on site next week to begin the structure surveying. The pasture areas will be surveyed, foundation locations, and material yard perimeters.

- The cultivated fields will be surveyed when needed to allow for the spring planting.
- All tangent structures will be marked by a large nail which is protected by a fence post and wood stake
- The angle structures have the pole location marked and offset if necessary with staking for the bisectors

6. Environmental
   - The archeological boundaries will be determined by Metcalf. The method of marking to be determined.
   - Bird nesting surveys will be completed by West. The duration of the survey is for 72 hours
   - Storm water permit contact – Randy Kowalski @ 701-328-5329

7. R/W
   - Valarie King and Duffy Heinle will be on site for BEPC
   - All contact with the property owners will be conducted by the R/W agents
   - The line is available at this time with the exception of one property owner which is expected to be signed by April 1, 2010
   - R/W will address the tree clearing of a shelter belt in the low #300's
   - Valarie has contact information regarding some housing and a backfill supplier

8. A change in the technical section of the contract (Crushed Rock Backfill) should read as follows "two shovelers per tramper".

9. The permitting remains incomplete at this time with the earliest delivery of the permit being on May 1, 2010. The energization date remains at 12/31/10. GSW provided 2 project schedules beginning 5/3 & 5/10/10. Their earliest completion date is 11/24/10, but that may move into December dependent on permitting. The work schedule will begin @ 5/10's

10. Site coordination
    - Mark Winn, Tim Fast, and Harlan Fortin will be the Construction Coordinators working the Williston/Tioga T-line Project.
    - The Construction Coordinators will be working out of the Williston R/W office and a construction trailer at the Tioga Sub
    - Coordination meetings will be conducted at the Tioga Substation on the 1st & 3rd Thursdays of each month at 11:00 AM CT

11. GSW is checking out field office locations in the Williston area today.

12. The "Release for Construction" drawings were provided to the contractor per attachment

13. ND DOT and Railroad permits were issues to the contractor. County Road permits to follow.

14. GSW will use the following subcontractors:
    - Dietzel Enterprises, Inc. (foundations and drilling)
    - Intercrest (gates)
    - Fiber Network Solutions (F/O splicing)

15. Work plans for the different phases of construction, product data for contractor furnished materials, and backfill material samples will be required before the beginning of the required activity. The rebar and concrete mix designs will also be required.

16. BEPC will make the initial contact for transmission crossings or the substation entry. All outages will be held by the contractor. The contractor will address the requirements for all distribution crossings.

17. The OFM is set to begin delivery mid-May at this time. Adjustments may be required due to the permitting.

18. Material deliveries and priorities
    - BEPC can call for the anchor bolts at any time if the contractor would store them at their showup area off the project areas (two weeks to fab and deliver).
    - The contractor will offload, inventory, store, and complete the receiving report for all BEPC materials procured for this project
    - The material person handling the materials for GSW has not been selected at this time

19. Security
    - As the materials are transferred to the contractor by the material receipts they will remain the contractor's responsibility until the project in complete and accepted by BEPC.

20. Housekeeping
    - Dumpsters will be dropped at all material yards to collect the trash as materials are removed from the yards.
    - All trash will be removed from the R/W on a daily basis.

21. Contract closeout
    - As-built information will be maintained through the project by both BEPC and TESSCO and combined upon completion for return to engineering for the drafting of the As-builts.
    - The construction units will be adjusted upon closeout of the contract.

Let's have a safe project.

Attachments:

- Sign-in sheets
- PSC Findings of fact
- Project-specific Mitigation Measures
- Progress report
- Drawing transmittal letter
- Schedule

Pre-Construction meeting sign-in

Project: Williston/Tioga T-line

Date: 3/23/10

	Name	Company	Phone/e-mail
1.	Rick Mucha	BEPC	701-557-5512 rmucha@bepc.com
2.	KEVIN SOLIE	BEPC	701.557.5495 ksolie@bepc.com
3.	Jerry Leia	ND PSC	701 328-1035
4.	Duey Marthaller	BEPC	701-355-5658/dmarth@bepc.co
5.	MARK NYGARD	BEPC	701 891 9748/ MNYGARD@BEPC.COM
6.	Tim Fast	BEPC	701-202-5922/TFAST@BEPC.COM
7.	MARK WINN	BEPC	701-880-1387/MWINN@BEPC.COM
8.	HARLAN FORTIN	BEPC	701 390 3363/hFORTIN@BEPC.CO
9.	JON Klein	BEPC	701-557-5381/ jonk@bepc.com
10.	Kelly Schaefer	BEPC	701-557-5650/ KschaferAbepc.com
11.	RANDALL FETTIG	MYR	218-530-0343 RFettig@MYRGROUP.COM
12.	Andrew Dietzel	Dietzel Enterprises	402-510-1362
13.	Mike Bachli	GSWC	720-536-4446 mbachli@gswc.us
14.	Curt Semrosk	GSWC	303-728-4332 csemroskaa@gswc.us
15.	Bob Agnew	GSWC	720-536-4420 bagnew@gswc.us
16.	~~Valerie~~ King	BEPC	701-557-5449 rking@bepc.com
17.	AL BURGARD	BEPC	701-557-5679 aburgard@bepc.com
18.	Cory Bauer	BEPC	701-557-5724 cbauer@bepc.com
19.	Mike Murray	BEPC	701-557-5454 MMurray@bepc.com
20.	DUFFY HEINLE	MHC/ROW	701-527-2097 DHeinle@bepc.com
21	Casey Jacobson	BEPC	701-557-5413 CJacobson@bepc.com
	Shane Vasbinder	BEPC	701-557-5779 SVasbinder@bepc.com

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Basin Electric Power Coop Inc.
230 kV Transmission Line / Williams & Mountrail Co
Siting Application

Case No. PU-07-671

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

February 10, 2010

Appearances

Commissioners Kevin Cramer, Tony Clark, and Brian Kalk.

Casey J. Jacobson, Attorney, Basin Electric Power Cooperative, 1717 East Interstate Avenue, Bismarck, North Dakota 58503, on behalf of Basin Electric Power Cooperative.

Annette Bendish, Legal Counsel, North Dakota Public Service Commission, State Capitol, 600 East Boulevard Avenue, Bismarck, North Dakota 58505, on behalf of the Public Service Commission.

Bonnie Fetch, Administrative Law Judge, Office of Administrative Hearings, 1701 North 9th St., Bismarck, North Dakota 58501-1882, as Procedural Hearing Officer.

Preliminary Statement

On September 11, 2007, Basin Electric Power Cooperative, Inc. (Basin) submitted a Letter of Intent (LOI) to the Public Service Commission notifying the Commission of its intent to construct approximately 61 miles of 230 kV Transmission Line from the existing Western Area Power's Williston substation to the existing Tioga substation, owned by Montana-Dakota Utilities. Basin Electric also requested the Commission shorten the one-year waiting period between filing a Letter of Intent and the filing of an Application for a Certificate of Corridor Compatibility.

On September 20, 2007, the Commission acknowledged the LOI, shortened the one-year waiting period between filing a Letter of Intent and a Siting Application to one day and assessed a filing fee of $100,000.00.

On August 10, 2009, Basin Electric submitted its combined Applications for a Waiver of Procedures and Time Schedules, Certificate of Corridor Compatibility, and a Route Permit for the Williston to Tioga Transmission Project (Application).

On September 29, 2009, the Public Service Commission issued a Notice of Filing and Notice of Hearing on Basin Electric's Application and found the Application to be complete

conditioned on Basin Electric filing a map detailing the proposed final transmission line structure locations on or before October 20, 2009.

The Notice of Hearing identified the following issues to be considered:

1. Will the location, construction and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?

2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?

3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

4. Is it appropriate for the Commission to waive procedures and time schedules as requested, including the request for a single consolidated application for corridor certificate and route permit?

On October 20, 2009, Basin delivered a map detailing the proposed final transmission line structure locations to the Public Service Commission.

On October 9, 2009, Basin filed a Certification Relating to Order Provisions – Electric Transmission Line Siting, regarding certain conditions to which Basin agreed.

On October 27, 2009, at 10:30 a.m. CDT, a public hearing was held in Williston, North Dakota. Basin presented five witnesses, and numerous members of the public offered comments.

On January 8, 2010 and February 5, 2010, Basin filed minor route realignments with structure location changes to accommodate landowner concerns.

Having allowed all interested persons an opportunity to be heard and having heard, reviewed, and considered all testimony and evidence presented, the Commission makes the following:

Findings of Fact

1. Basin Electric is a regional wholesale electric generation and transmission cooperative, organized under the laws of the State of North Dakota, and headquartered in Bismarck, North Dakota. Basin provides power to more than 136 member distribution systems serving more than 2.8 million consumers in nine states, including North Dakota.

2. Basin Electric proposes to construct a 230 kV transmission line from Western's existing Williston Substation to Montana-Dakota Utilities Co.'s existing Tioga Substation.

3. The Williston to Tioga 230 kV line will be terminated on take-off structures inside the Williston and Tioga Substation yards. An optical ground wire will be installed on the transmission line for communications and lightning protection.

4. The Williston to Tioga 230 kV transmission line will be constructed, owned and maintained by Basin Electric. The transmission line will be approximately 61 miles long and will be located in Mountrail and Williams Counties.

5. The total cost of the Project is estimated to be $24 million.

6. The proposed transmission line and associated facilities will be designed and constructed to meet or surpass all relevant state codes and standards of the Rural Utilities Service, the National Electric Safety Code, the Institute of Electrical and Electronics Engineers, the American Society of Civil Engineers, the American Institute of Steel Construction, the American Concrete Institute, Basin standards, and in accordance with Avian Power Line Interaction Committee suggested practices for raptor-safe design.

7. The transmission line will be constructed on self-supporting galvanized steel single-pole structures. The typical structure will be around 100 feet tall. The top of the pole will be about 10 inches in diameter and the bottom will be about 42 inches in diameter. The angle structures will also be single poles and will have concrete foundations and no guy wires. The regular in-line structures will be directly buried in the ground.

8. The transmission line will be 3-phase and each conductor will be 1.3 inches in diameter with 54 strands of aluminum and seven strands of steel. Above the conductors will be one and one-half inch diameter optical ground wire. The line will require approximately six to seven structures per mile, depending on terrain and other design factors. The right-of-way will be 125 feet wide.

9. Basin Electric states that it has complied with all local land use and planning ordinances.

10. Basin Electric stated that it met with local governmental units to provide a project overview and receive comments in 2008.

11. Basin Electric states that various local, state and federal agencies (41) were contacted for early input into the Project. Ten Native American Tribes were also contacted to solicit their input.

12. A federal environmental assessment is being prepared for the project by the Western Area Power Administration. Basin Electric will file a copy of the final document and any resulting findings with the Commission prior to beginning construction.

13. Section 49-22-16(3) of the North Dakota Century Code provides that an applicant for a route permit from the Commission shall obtain all permits that may be required to construct and operate the transmission facility.

14. North Dakota Administrative Code, Chapter 69-06-08, sets forth certain criteria to guide the Commission in evaluating the suitability of granting an application for a Certificate of Corridor Compatibility and a Route Permit for a transmission facility. The criteria as set forth in

Section 69-06-08-02 are classified as Exclusion Areas, Avoidance Areas, Selection Criteria and Policy Criteria.

15. North Dakota Administrative Code, Chapter 69-06-08, provides that Exclusion and Avoidance Areas may be located within a corridor, but at no given point shall such an area encompass more than 50% of the corridor width, unless there is no reasonable alternative.

16. North Dakota Administrative Code, Section 69-06-08-02, provides that a transmission facility route must not be sited within an Exclusion Area. A transmission facility route must not be sited within an Avoidance Area unless the Applicant shows under the circumstances there are no reasonable alternatives.

17. In accordance with the Commission's Selection Criteria, a corridor or route may be approved if it is demonstrated that any significant adverse impacts that will result from the location, construction and maintenance of the transmission facility will be of an acceptable minimum or managed at an acceptable minimum.

18. In accordance with the Commission's Policy Criteria, preference may be given to an applicant demonstrating certain benefits from the adoption of certain policies and practices.

19. Basin Electric evaluated a Corridor width of six miles.

20. Basin Electric submitted information in its Application and testimony at the October 27, 2009 hearing, concerning compliance with the Commission Exclusion and Avoidance Area Criteria as applied to the proposed Corridor.

21. At no point within the proposed corridor does an Exclusion or Avoidance Area encompass more than 50% of the Corridor width.

22. Basin Electric submitted information in its Application and testimony at the October 27, 2009 hearing, concerning compliance with the Commission Exclusion and Avoidance Areas criteria as applied to the proposed route.

23. The proposed route does not include any Exclusion Areas. The proposed corridor contains several small municipal parks, campgrounds or recreational areas within or near the communities of Williston, Tioga and Ray that are avoided by the proposed route. State sensitive animal and plant species occur within the proposed corridor, but none are anticipated to be irreversibly damaged.

24. No rare or unique resources have been identified along the route. It is not anticipated that the proposed transmission facility will impact rare and unique resources. Raptors, waterfowl, and other bird species may be affected by the construction and placement of the proposed 230 kV transmission line. To help avoid potential impacts to avian species along the proposed route during construction and operation of the transmission line, the transmission line will use suspension insulation with a clearance of approximately 84 inches in order to eliminate the potential for electrocution of raptors. In addition, bird flight diverters will be installed in areas determined in consultation with the Western Area Power Administration biologist.

25. The proposed route does not cross any Avoidance Areas. There are no rural residences or places of business within 500 feet of the proposed route.

26. A wetland delineation was conducted along the proposed route. No permanent impacts to the wetlands are anticipated as a result of project construction. Structures are not anticipated to be placed in wetland areas. Basin Electric will provide a 100 ft. buffer zone around wetlands, whenever feasible, to prevent impacts; wetland areas along the line route will be avoided or spanned. Basin Electric will implement mitigation measures to minimize indirect impacts to surface water and wetland resources, such as erosion and sedimentation control Best Management Practices. Basin Electric will require its contractor to secure required storm water permits for the project from the North Dakota Department of Health.

27. A Class I file search and Class III cultural resource pedestrian survey were conducted along the proposed route. The survey area consisted of a 200 ft. wide corridor centered on the proposed route centerline. Numerous prehistoric and historic sites were identified during the Class III survey and all were avoided during routing of the proposed transmission line. It is unlikely that paleontological resources would be affected by the project.

28. A Class I records and file search revealed 148 archaeological sites in the corridor. The recorded sites include prehistoric sites, historic sites and architectural sites. All of these sites were avoided during detailed routing.

29. Basin Electric submitted information in its Application and through its testimony that any significant adverse effects from the location, construction and maintenance of the transmission facility as they relate to the Selection Criteria listed at Section 69-06-08-1(3) North Dakota Administrative Code, will be at an acceptable minimum or will be managed and maintained at an acceptable minimum.

30. Basin Electric submitted information in its Application and through its testimony to demonstrate its commitment to maximize the benefits of the proposed transmission facility to meet the Policy Criteria set forth in Section 69-06-08-1(4), North Dakota Administrative Code.

Conclusions of Law

1. The Commission has jurisdiction over this proceeding under Chapter 49-22 of the North Dakota Century Code.

2. The 230 kV transmission line proposed by Basin Electric is a transmission facility as defined in Section 49-22-03(12), of the North Dakota Century Code.

3. The location, construction, and operation of the proposed transmission facility will produce only minimal adverse effects of the environment and upon the welfare of the citizens of North Dakota.

4. The Application submitted by Basin Electric meets the corridor and route evaluation criteria required by Chapter 49-22 of the North Dakota Century Code.

5. The proposed transmission facility corridor and route will minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion.

6. The proposed transmission facility is compatible with the environmental preservation and the efficient use of resources.

7. The requested waivers of procedures is justified based upon: the minimal impacts on the environment and the welfare of the citizens of North Dakota; the lack of objection to the proposed transmission facility by federal, state and local government bodies and agencies or by the majority of landowners along the route; and the objective to have a reliable integrated transmission system in North Dakota.

8. The proposed transmission facility is of such length, design, location, and purpose that it will produce minimal adverse effects.

From the foregoing Findings of Fact and Conclusions of Law, the Commission now makes its:

Order

The Commission orders:

1. Basin Electric's Application for a Waiver of Procedures is granted.

2. A Certificate of Corridor Compatibility for Transmission Facility Corridor No. 111 is issued to Basin Electric, designating a Corridor for its proposed transmission facility as described in Basin Electric's Application and presented at the hearing.

3. A Route Permit for Transmission Facility No. 121 is issued to Basin Electric granting authority to construct the proposed transmission line as described in the Application and presented at the hearing.

4. Notwithstanding North Dakota Century Code Section 49-22-03 (3), or any interpretation to the contrary, Basin Electric agrees that in the event Basin Electric desires to construct, within this Certificate of Corridor Compatibility, a new transmission facility that is not included in this Order, Basin Electric shall apply for a Route Permit in the Corridor identified in this Order.

5. Basin Electric shall conduct a preconstruction conference prior to commencement of any construction, which must include a Basin Electric representative, its construction supervisor, and a representative of Commission staff to ensure that Basin Electric fully understands the conditions set forth in this Order.

6. Basin Electric will comply with the rules and regulations of all other agencies having jurisdiction over any phase of the proposed transmission facility. Prior to commencing construction of any phase of the proposed project, Basin Electric shall obtain all other necessary approvals and permits for construction of such phase and provide copies to the Commission prior to the construction of each such phase.

7. Basin Electric shall inform the Commission of its intent to start construction on the transmission facility prior to the commencement of construction, and, once construction has started, Basin Electric shall keep the Commission updated of construction activities on a weekly basis.

8. Basin Electric shall construct and operate the transmission facility in the manner described in its Application and at the hearing, and in accordance with all applicable safety requirements.

9. Basin Electric shall promptly report to the Commission the presence in the permit area of any critical habitat of threatened or endangered species, or of bald or golden eagles that Basin Electric becomes aware of and that were not previously reported to the Commission.

10. If any cultural resource, paleontological site, archeological site, historical site, or grave site is discovered during construction, earth disturbing activities in the immediate vicinity of the discovery must be halted. The resource must be marked, preserved and protected from further disturbances until a professional examination can be made and consultation with the State Historical Preservation Office. A report of such examination must be filed with the Commission, and clearance to proceed must be given by the Commission.

11. All pre-existing roads and lanes used during construction must be restored to a condition that will accommodate their previous use and areas used as temporary roads during construction must be restored to their original condition.

12. Construction must be suspended when weather conditions are such that construction activities will cause irreparable damage, unless adequate protection measures approved by the Commission are taken.

13. Reclamation along the right-of-way shall be continuous and coordinated with construction.

14. Reclamation, fertilization and reseeding is to be done by Basin Electric according to the Natural Resource Conservation Service recommendations unless otherwise specified by the landowner and approved by the Commission.

15. Basin Electric will comply with the Commission's Tree and Shrub Mitigation Specifications attached to this Order except that the width of clear cuts through windbreaks, shelterbelts and all other wooded areas shall be limited to 125 feet rather than 50 feet.

16. Basin Electric's obligation for reclamation and maintenance of the right-of-way shall continue throughout the life of the transmission facilities.

17. Basin Electric shall work with landowners and residents to mitigate any increase in television and residential radio interference that results from the transmission line.

18. Basin Electric shall repair or replace all fences and gates removed or damaged during all phases of construction and operation of the proposed transmission facilities.

19. Structure location changes filed January 8, 2010 and February 5, 2010 are approved and Basin Electric shall obtain approval from the Commission or from Commission staff prior to any further changes in structure locations.

20. Basin Electric shall provide the Commission with a copy of the facility alignment plan and profile drawings showing the facility as built (hard copy and electronic versions), and an

electronic version of the as-built facility that can be imported into ESRI GIS mapping software, within three months of the completion of the construction.

21. The authorizations granted by the Corridor Certificate and Route Permit are subject to modification by order of the Commission if deemed necessary to further protect the public or the environment.

PUBLIC SERVICE COMMISSION

Tony Clark	**Kevin Cramer**	**Brian P. Kalk**
Commissioner	**Chairman**	**Commissioner**

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Basin Electric Power Coop. Inc. **Case No. PU-07-671**
230 kV Transmission Line/Williams & Mountrail Co.
Siting Application

Tree and Shrub Mitigation Specifications

Inventory

1. Trees and shrubs anticipated to be cleared, including those that are considered invasive species or noxious weeds (*e.g., Caragana arborescens, Elaeagnus angustifolia, Rhamnus cathartica, Tamarix chinensis, T. parviflora, T. ramosissima, Ulmus pumila*), shall be inventoried before cutting. The inventory shall record the location, number, and species of trees and shrubs.

2. In windbreaks, shelterbelts, and other planted areas, trees or shrubs anticipated to be cleared, regardless of size, shall be inventoried for replacement.

3. In native growth areas, trees anticipated to be cleared that are 1-inch diameter at breast height (dbh) or greater shall be inventoried for replacement.

4. In native growth areas, shrubs anticipated to be cleared in the permanent right-of-way shall be inventoried for replacement.

5. In native growth areas outside the permanent right-of-way, shrubs shall be cut flush with the surface of the ground, taking care to leave the naturally occurring seed bank and root stock intact. If soil disturbance is necessary, the native topsoil shall be preserved and replaced after construction. Shrubs shall be allowed to regenerate naturally where native topsoil is preserved and replaced. Where native topsoil is not preserved and replaced, shrubs anticipated to be cleared shall be inventoried for replacement.

6. In native growth areas, trees and shrubs may be inventoried by actual count or by sampling method that will properly represent the woody vegetation population. A sampling plan developed by the company, filed with the North Dakota Public Service Commission (Commission), and approved prior to the start of construction shall define the sampling method to be used for trees, for tall shrubs and for low shrubs. The data from the sample plots shall be extrapolated to the total acreage of the wooded area to be cleared to determine the species and quantity of trees and shrubs to be replaced.

Clearing for Construction

7. Trees and shrubs shall be selectively cleared, leaving mature trees and shrubs intact where practical.

8. The width of clear cuts through windbreaks, shelterbelts and all other wooded areas shall be limited to 50 feet or less unless otherwise approved by the Commission.

9. If the area of trees or shrubs actually cleared differs from the area inventoried, the difference in number of trees and shrubs to be replaced shall be noted on the inventory.

Replacement

10. Prior to replacement, documentation identifying the number and variety of trees removed as well as the mitigation plan for the proposed number, variety, type, location and date of replacement plantings shall be filed with the Commission for approval.

11. Tree replacement shall be on a 2 to 1 basis with 2-year-old saplings. Shrub replacement shall be on a 2 to 1 basis with stem cuttings.

12. Trees and shrubs shall be replaced by the same species or similar species, except in the case of invasive species or noxious weeds, suitable for North Dakota growing conditions as recommended by the North Dakota Forest Service.

13. Landowners shall be given the option of having replacement trees/shrubs planted off the right-of-way on the landowner's property or waiving that requirement in writing and allowing those replacement trees or shrubs to be planted at alternative locations.

14. At the conclusion of the project, documentation identifying the actual number, variety, type, location, and date of the replacement plantings shall be filed with the Commission.

15. Tree and shrub replacements shall be inspected once a year for three years, on about the anniversary of the plantings, and, on or shortly before October 1 of each year, a report shall be submitted to the Commission documenting the condition of replacement planting and any woodlands work completed. If after three years from the anniversary of the plantings the survival rate is less than 75%, the Commission may order additional planting(s).

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Route Permit

Certificate Number 121

This is to certify that the Commission has designated a transmission facility route for Basin Electric Power Cooperative's approximately 61 miles of 230-kilivolt electric transmission line and associated facilities extending from the existing Williston Substation to the existing Tioga Substation in Williams and Mountrail Counties of North Dakota.

This certificate is issued in accordance with the Order of this Commission dated February 10, 2010 in Case No. PU-07-671 and is subject to the conditions and limitations noted in the Order.

Bismarck, North Dakota, February 10, 2010.

ATTEST: ***PUBLIC SERVICE COMMISSION***

Executive Director
Acting

Commissioner

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Certificate of Site Compatibility for a Transmission Facility Corridor

Certificate Number 111

This is to certify that the Commission has designated a transmission facility corridor for Basin Electric Power Cooperative's approximately 61 miles of 230 kV electric transmission line and associated facilities extending from the existing Williston Substation to the existing Tioga Substation in Williams and Mountrail Counties of North Dakota.

This certificate is issued in accordance with the Order of this Commission dated February 10, 2010 in Case No. PU-07-671 and is subject to the conditions and limitations noted in the Order.

Bismarck, North Dakota, February 10, 2010.

ATTEST: ***PUBLIC SERVICE COMMISSION***

Executive Director
Acting

Commissioner

Appndix D

Project-specific Mitigation Measures

Appendix D

Williston to Tioga 230-kV Transmission Project
Mitigation and Reclamation Measures

1. Jurisdictions, Land Use, and Agricultural Practices

Land Use

- The movement of crews and equipment will be limited to the right-of-way (ROW) and other areas that have been surveyed for cultural, historical and biological resources. The construction contractor will limit movement on the ROW so as to minimize damage to rangeland, cropland, or property.
- The preferred transmission line route will be routed 500 feet or more away from inhabited structures.

Agricultural Practices

- The proposed transmission line will span fields to the extent feasible.
- The proposed transmission line will be routed along section and mid-section lines to avoid diagonal crossings of fields, when possible.
- Where practical, construction activities will be scheduled during periods when agricultural activities would be minimally affected or the landowner will be compensated accordingly.
- Fences, gates, and similar improvements that are removed or damaged will be promptly repaired or replaced. New gates may be installed, if deemed appropriate.
- ROW will be purchased through negotiations with each landowner affected by the proposed project and payment will be made of full value for crop damages or other property damage during construction or maintenance.
- When weather and ground conditions permit, all deep ruts that are hazardous to farming operations and to movement of equipment would be eliminated or compensation will be provided if the landowner desires. Such ruts will be leveled, filled, and graded, or otherwise eliminated in an approved manner. Ruts, scars, and compacted soils from construction activities in cropland or rangeland will be loosened and leveled by scarifying, harrowing, disking, or other appropriate method. Damage to ditches, terraces, roads, and other features of the land will be corrected. The land and other features will be restored as nearly as practicable to their original conditions.

2. Physiography, Topography, Soils, Geology, and Minerals

Soils

- Excess soils will be hauled off-site to an approved landfill.
- Erosion and sediment controls will be established prior to construction, then maintained and controlled through application of storm water prevention plans.
- Sediment control measures (e.g., installation of silt fences) will be used, where appropriate, to prevent sediment from moving offsite and into water bodies.
- Maintenance operations will be scheduled during periods of minimum precipitation to minimize the potential of surface runoff and to reduce the risk of erosion, rutting, sedimentation, and soil compaction. However, emergency repairs to the proposed transmission line may occur during periods of inclement weather.

- Temporary laydown areas will be located in previously disturbed areas and areas previously surveyed for cultural and biological resources.

3. Geology

- Transmission line structures will not be sited on any potentially active faults.
- Transmission line structures will not be sited on lands known to have the potential landslides.

4. Hydrology and Drainage

- A 100-foot buffer will be established adjacent to wetlands and creeks, where practicable, to prevent or minimize impacts to those ecosystems. Construction vehicles and equipment will not traverse through wetlands and riparian areas, thereby avoiding direct impacts to these sensitive areas.
- Transmission line structures will be sited so that streams and drainages are spanned and remain undisturbed. Construction and maintenance access also will avoid these areas.
- Staging areas and refueling areas will not be located near surface water bodies.
- Areas that need to be cleared during construction will be revegetated with an approved native seed mix as soon as technically feasible to minimize soil erosion and sediment runoff.
- A Spill Prevention and Response Plan will be developed prior to the start of construction to prevent the potential for spills of hazardous substances into streams and drainages, and potential contamination of groundwater. The plan will include a procedure for storage of hazardous materials and refueling of construction equipment outside of riparian zones, spill containment and recovery plan, and notification and activation protocols.
- Refueling of construction vehicles will occur at commercial fueling facilities and at staging areas, if onsite fuel storage is needed for refueling.
- A Storm Water Pollution Prevention Plan (SWPPP) will be developed and implemented prior to initial construction activities. This plan will include an analysis of materials that will be utilized and site activities that could potentially impact storm water and the associated mitigation measures to minimize that potential. Plan implementation will include regular inspections of areas under construction, material storage and laydown areas, and structural devices for storm water management. All construction personnel will be trained on the plan and will be required to comply with its requirements and the maintenance of all mitigation measures. The SWPPP will be maintained until final stabilization of all disturbed areas is completed.

5. Vegetation Resources

- In areas where wooded areas cannot be avoided, the proposed transmission line will be placed in areas with the lowest density of trees, whenever feasible, thereby reducing the number of trees that will require removal within the construction ROW.
- Woody species (i.e., trees and shrubs) removed (i.e., cut or mowed) during construction will be replaced at a 2:1 ratio (i.e., 2 plants would be planted for every plant removed, as required by the North Dakota Public Service Commission [NDPSC]). If possible, the replacement trees would be planted in the same watershed where trees were removed. Suitable sites would be identified through cooperation with landowners and appropriate State or local agencies.
- Prior to construction, a woody (e.g., trees and shrubs) species inventory will be conducted in areas where vegetation will be removed (i.e., cut or mowed) to determine the numbers, sizes, and locations of woody species present in these areas. A Woody Species Inventory Report will be developed, which will summarize the information collected during the woody species inventory. In addition, a Woody Species Planting Plan will be developed that will provide detailed information regarding the numbers, sizes, and locations of species that will be planted and methods used to plant these species.

Numbers, sizes, locations, and species to be replanted will be determined through consultation with appropriate State, local agencies, and landowners

- All vegetative materials resulting from clearing operations will either be chipped on site, or removed and disposed in a permitted facility.
- Existing native vegetation within the construction ROW will be preserved whenever feasible.
- Surface disturbance areas will be reclaimed using native species and will be planted at the appropriate times, as recommended by agencies or landowners, to reestablish native vegetative cover and minimize the potential for invasion by non-native species.
- Wetland and riparian communities will be spanned by the proposed transmission line thereby avoiding impacts to these ecosystems.
- Erosion and sedimentation controls will be implemented to minimize indirect impacts to wetlands and riparian areas.
- The ROW would be maintained to remove woody species that could become established and become a hazard to the transmission line.

6. Wildlife and Fisheries

- Prior to surface disturbance activities during the migratory bird (not including raptors) breeding season (April 15 through July 15), a qualified biologist would survey within suitable habitat (i.e., non-cultivated land) for nesting activity and other evidence of nesting (e.g., mated pairs, territorial defense, birds carrying nest material, transporting food). If active nests are located, or other evidence of nesting is observed, appropriate protection measures, including establishment of buffer areas and constraint periods, would be implemented until the young have fledged and dispersed from the nest area. These measures will be implemented on a site-specific and species-specific basis, in coordination with Western.
- If construction is to occur during the breeding season for raptors (February 1 through August 15), prior to construction activities, raptor breeding surveys will be conducted by a qualified biologist through areas of suitable nesting habitat to identify any active nest sites within 0.5 mile (1.0 mile for bald eagles) from the project area. If applicable, appropriate protection measures, including seasonal constraints and establishment of buffer areas will be implemented at active nest sites until the young have fledged and have dispersed from the nest area. These measures will be implemented on a site-specific and species-specific basis, in coordination with Western.
- Standard measures to minimize avian collision risk with overhead transmission lines, as outlined in *Mitigating Bird Collisions with Power Lines* (Avian Power Line Interaction Committee [APLIC] 1994), will be examined and appropriate measures will be developed in coordination with the United States Fish and Wildlife Service (USFWS) and North Dakota Game and Fish Department (NDGFD).
- Adequate raptor proofing designs, as described in *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006* (APLIC 2006), will be implemented on the structures in coordination with the NDGFD to minimize raptor use of these structures.
- Holes that are drilled or excavated for pole placement or foundation construction and left unattended overnight will be marked and secured with temporary fencing and plywood covers to reduce the potential for livestock and wildlife entering the holes and for public safety.

7. Special Status Species and Noxious Weeds

Special Status Species

- BEPC will implement additional mitigation measures developed during section 7 consultations, as specified by the USFWS.

Noxious Weeds

- Prior to the initiation of construction activities, construction vehicles and equipment would be thoroughly cleaned to prevent the possible spread of noxious weed seeds within the project area.
- Noxious weeds present within proposed disturbance areas will be controlled prior to the initiation of construction to prevent the potential spread of noxious weeds.
- If noxious weeds are observed in the surface disturbance areas, populations will be controlled with the application of herbicides, which will be applied by a certified herbicide applicator in accordance with label instructions and State and local County Weed Board regulations. Biological control methods (i.e., use of spurge beetles, etc.) may also be considered for weed control, in consultation with appropriate agencies.
- Herbicides will not be used near surface water.
- The construction ROW and other surface disturbance areas will be monitored for noxious weeds for a three-year period following construction and reclamation.
- Landowners will be consulted regarding all noxious weed control measures and issues.
- Herbicide applications will occur in late spring or early summer to eradicate or control noxious weeds before they mature.

8. Archaeological and Historic Resources

- All cultural resources will be evaluated using the criteria of eligibility for the National Register of Historic Places established at 36 Code of Federal Regulations Part 60.4. Consultation with the appropriate parties (i.e., North Dakota State Historic Preservation Officer [SHPO], interested Native American groups) will be initiated prior to making the determination. Western will then make a Determination of Eligibility, as required by Section 106 of the National Historic Preservation Act (NHPA) and consult with the appropriate parties to determine any mitigation efforts necessary to eliminate or reduce adverse effects.
- Cultural resource surveys will be conducted within proposed surface disturbance areas prior to construction. A Class III cultural resources report will be prepared and sent to Western and the North Dakota SHPO for review and consultation.
- If any previously unknown cultural resources or human remains are discovered during project construction, all work within 200 feet of the discovery that might adversely affect the cultural resource will cease until Western, in consultation with the appropriate parties, can evaluate the discovery. Western will be notified immediately (within 24 hours) and will have a cultural resource specialist or a tribal monitor with the proper expertise for the suspected resource type on-site as soon as possible. Construction will not proceed until authorized by Western.

9. Paleontological Resources

- If paleontological resources are observed during construction, construction activities in the area will cease and Western will be contacted to discuss the importance of the paleontological resources and develop appropriate mitigation.

10. Transportation Network

- The transportation of materials and equipment will be conducted in accordance with North Dakota Department of Transportation regulations.
- All necessary provisions will be made to conform to safety requirements for maintaining the flow of public traffic. Construction operations will be conducted to offer the least possible obstruction and inconvenience to public traffic.
- Public roads, section lines and existing trails will be used, to the extent practicable, to access the proposed transmission line.

11. Socioeconomic Values

- Potential impacts to populations and housing within the project area will be minimized.

12. Hazardous Materials and Solid Waste

- The proposed project will likely be subject to the requirements associated with hazardous waste management as a small quantity generator as described in 40 CFR 262.

13. Meteorology and Air Quality

- The contractors will apply standard environmental protection measures associated with construction.
- Fugitive dust emissions generated as a result of surface disturbance activities and vehicle use of access roads will be controlled by the periodic application of water, if necessary.
- Vehicles and equipment will be properly maintained to avoid excessive emission of exhaust gases due to poor engine adjustments.
- The speed of vehicles traveling on unpaved roads will be limited, to the extent practicable, to reduce the generation of fugitive dust.
- Burning or burying waste materials within the ROW will not be permitted and all waste materials will be disposed of at permitted waste disposal areas or landfills.

BASIN ELECTRIC
POWER COOPERATIVE
1717 EAST INTERSTATE AVENUE
BISMARCK, NORTH DAKOTA 58503-0564
PHONE: 701/223-0441
FAX: 701/224-5336

Transmittal

TO:
MIKE BACHLI
Great Southwestern Construction, Inc.
1100 Topeka Way
Castle Rock, CO 80104-

Date: 03/22/2010
Basin Letter No.:
Contract Number:
Project Location: TRANSMISSION SYSTEM MAINTENANCE
Project Name: Williston-Tioga Transmission

Your Submittal No CONTRACT DOCS Dated: 03/22/2010

☐ Copy of Letter ☐ Change Order ☐ Electronic Files
☑ Prints ☑ Documents or Specifications

CONTRACT
PLAN AND PROFILE DRAWINGS
LOCATION MAP
CONSTRUCTION DRAWINGS
STEEL POLE DETAIL (PARTIAL)
CONSTRUCTION LIST
RR PERMITS
DOT PERMITS
COUNTY ROAD CROSSINGS
SOIL BORINGS
ENVIRONMENTAL MITIGATION MEASURES

These are being transmitted:

☐ For Approval ☑ For Your Use ☐ As Requested
☐ As Preliminary ☐ Issue for Bid
☑ Issued For Construction ☐ For Your Review and Comments
☐ No Exception Noted ☐ Proceed As Noted ☐ Revise and Resubmit for Approval

cc: Clint Wald

RICK MUCHA w/o enc

BASIN ELECTRIC POWER COOPERATIIVE
Project: Williston to Tioga T-line Contract
Contractor: Great Southwestern

Weekly Progress Report

Progress for the week ending : _____

Manpower = ___?___

Note:
Completion the past week
Completion to date
Condemnation possible
X - indicates a foundation location

Str.#1 @ Williston and Str #406 @ Tioga

	Weekly total	Weekly %	Cumulative total	Cumulative %
R/W Prep		0.0		0.0
Foundation Inst'l. (55)		0.0		0.0
Structure hauling		0.0		0.0
Structure assembly		0.0		0.0
Structure erection		0.0		0.0
Conductor/OPGW installation		0.0		0.0
R/W cleanup		0.0		0.0
R/W restoration		0.0		0.0

Str. Number	Takeoff	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50
R/W prep																																																				
Foundation Installation			X						X						X		X			X		X																X	X									X					
Structure hauling																																																			
Structure assembly																																																			
Structure erection																																																			
Conductor/OPGW installation																																																			
R/W cleanup																																																			
R/W restoration																																																			
Condemnation proceedings																																																			

Str. Number	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
R/W prep																																																			
Foundation Installation								X							X	X						X									X						X				X		X			X	X			
Structure hauling																																																			
Structure assembly																																																			
Structure erection																																																			
Conductor/OPGW installation																																																			
R/W cleanup																																																			
R/W restoration																																																			
Condemnation proceedings																																																			

Str. Number	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150
R/W prep																																																			
Foundation Installation							X		X										X	X																						X		X							
Structure hauling																																																			
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Conductor/OPGW installation																																																			
R/W cleanup																																																			
R/W restoration																																																			
Condemnation proceedings																																																			

Str. Number	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200
R/W prep																																																			
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Structure hauling																																																		
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Conductor/OPGW installation																																																		
R/W cleanup																																																		
R/W restoration																																																		
Condemnation proceedings																																																	

Str. Number	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250
R/W prep																																																		
Foundation Installation							X																								X			X															
Structure hauling																																																		
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R/W cleanup																																																		
R/W restoration																																																		
Condemnation proceedings																																																	

Str. Number	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300
R/W prep																																																		
Foundation Installation								X	X		X		X	X				X			X	X		X					X		X																		
Structure hauling																																																		
Structure assembly																																																		
Structure erection																																																		
Conductor/OPGW installation																																																		
R/W cleanup																																																		
R/W restoration																																																		
Condemnation proceedings																																																	

Str. Number	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350
R/W prep																																																		
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Conductor/OPGW installation																																																		
R/W cleanup																																																		
R/W restoration																																																		
Condemnation proceedings																																																	

Str. Number	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400
R/W prep																																																			
Foundation Installation															X	X			X					X													X							X		X			X	X
Structure hauling																																																		
Structure assembly																																																		
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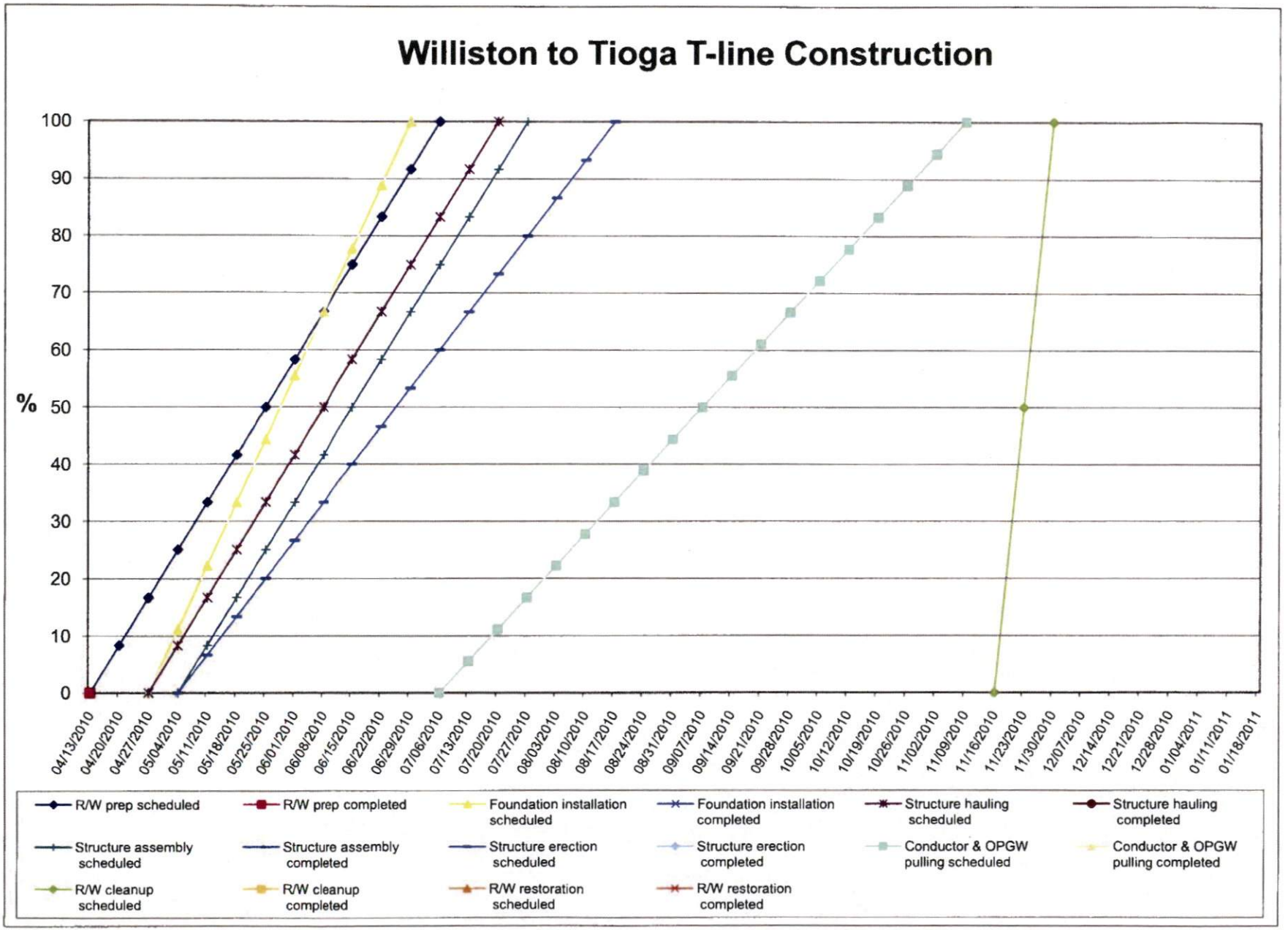
Conductor/OPGW installation																																																		
R/W cleanup																																																		
R/W restoration																																																		
Condemnation proceedings																																																	

Str. Number	401	402	403	404	405	406	Takeoff
R/W prep							
Foundation Installation			X		X		
Structure hauling							
Structure assembly							
Structure erection							
Conductor/OPGW installation							
R/W cleanup							
R/W restoration							
Condemnation proceedings							


Williston to Tioga T-line Construction
%
100
90
80
70
60
50
40
30
20
10
0
04/13/2010
04/20/2010
04/27/2010
05/04/2010
05/11/2010
05/18/2010
05/25/2010
06/01/2010
06/08/2010
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11/30/2010
12/07/2010
12/14/2010
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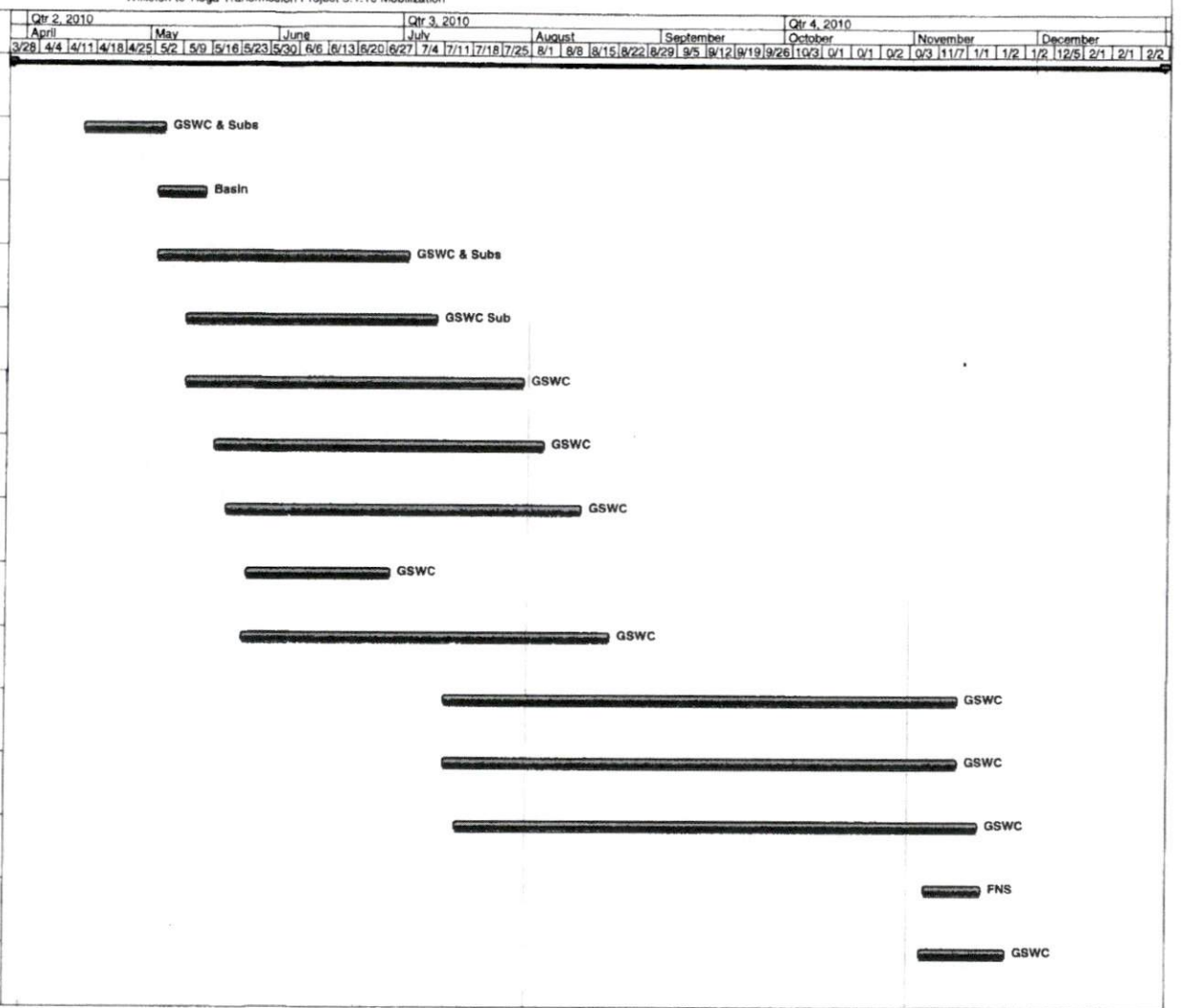
12/28/2010
01/04/2011
01/11/2011
01/18/2011
R/W prep scheduled
R/W prep completed
Foundation installation scheduled
Foundation installation completed
Structure hauling scheduled
Structure hauling completed
Structure assembly scheduled
Structure assembly completed
Structure erection scheduled
Structure erection completed
Conductor & OPGW pulling scheduled
Conductor & OPGW pulling completed
R/W cleanup scheduled
R/W cleanup completed
R/W restoration scheduled
R/W restoration completed

Williston to Tioga Transmission Project 5.1.10 Mobilization

ID	Task Name	Duration	Start	Finish	Predecessors
1	**Construction Time frame**	200 days?	Mon 3/29/10	Fri 12/31/10	
2	Mobilization	14 days	Thu 4/15/10	Tue 5/4/10	
3	Owner Furnished material starts arriving	10 days?	Mon 5/3/10	Fri 5/14/10	
4	ROW work Clearing & gates	45 days	Mon 5/3/10	Fri 7/2/10	
5	Installation of Anchor Bolt Foundations	45 days	Mon 5/10/10	Fri 7/9/10	
6	Hauling of Structure Pole Sections	60 days	Mon 5/10/10	Fri 7/30/10	
7	Framing of Poles	58 days	Mon 5/17/10	Wed 8/4/10	
8	Installation of Direct embed Structures	62 days?	Thu 5/20/10	Fri 8/13/10	
9	Installation of Anchor Bolted Structures	25 days	Tue 5/25/10	Mon 6/28/10	
10	Grounding of Structures	65 days	Mon 5/24/10	Fri 8/20/10	
11	Conductor Installation	90 days	Mon 7/12/10	Fri 11/12/10	
12	Installation of OPGW	90 days	Mon 7/12/10	Fri 11/12/10	
13	Install Dead ends	90 days	Thu 7/15/10	Wed 11/17/10	
14	Splices & Testing of OPGW	10 days	Fri 11/5/10	Thu 11/18/10	
15	Cleanup and Demobilize	15 days	Thu 11/4/10	Wed 11/24/10	



Project: Basin El. Power Coop 5.1.10
Date: Mon 3/22/10

Task | Progress | Summary | External Tasks | Deadline
Split | Milestone | Project Summary | External Milestone