

September 27, 2013



VIA POSTAL SERVICE

Mr. Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Minnkota power Cooperative, Inc.
345 kV Transmission Line – Center
to Grand Forks Project
Case No. PU-09-670**

Dear Mr. Nitschke:

Please accept the attached Structure Relocation requests for the CGF Project in:

Wells County (SR-CGF-WL-002, SR-CGF-WL-003)

Sincerely,



Mike Hennes
Senior Manager Transmission Operations
Minnkota Power Cooperative
(701) 795-4352

Encl. Structure Relocation Request

cc: Mr. Jerry Lein (w/ encl. – via e-mail)

279 PU-09-670 Filed: 9/27/2013 Pages: 8
**Structure relocation requests - Well County
(SR-CGF-WL-002, SR-CGF-WL-003)**

Minnkota Power Cooperative, Inc.

Mike Hennes

Center to Grand Forks Project



▶ CGF Project – Structure Relocation Approval Request

Case No. PU-09-670

SR-CGF-WL-002

Michael Hennes ▶ Minnkota Power Cooperative, Inc. ▶ 9/27/2013

<u>Relocation Request:</u>	<p>Minnkota requests approval of a shift in the location of Structures 476 and 477 in Wells County (<i>see</i> attached map showing original and new structure locations).</p> <p>Minnkota requests approval of this relocation post installation as these exhibits were missed in our October 2012 filings.</p>
<u>Location:</u>	<p>S1/2 of NE1/4 of Section 11, Township 147 North, Range 73 West, Wells County, North Dakota.</p> <p>Relocated structures will remain within the approved Route, and on the same landowners' property.</p>
<u>Reason for Relocation:</u>	<p>Pole locations moved at the recommendation of the environmental consultant to avoid Dakota Skipper habitat. Please see attached copies of the technical memorandum dated 7/26/2012</p>
<u>Environmental Review/Compliance with Siting Criteria:</u>	<p>New structure locations were included in prior surveys for cultural resources and wetlands, and no cultural resources or wetlands will be impacted by structure relocations (<i>see</i> reports submitted as Exhibits K and M).</p> <p>No exclusion or avoidance areas will be impacted by structure relocations.</p>

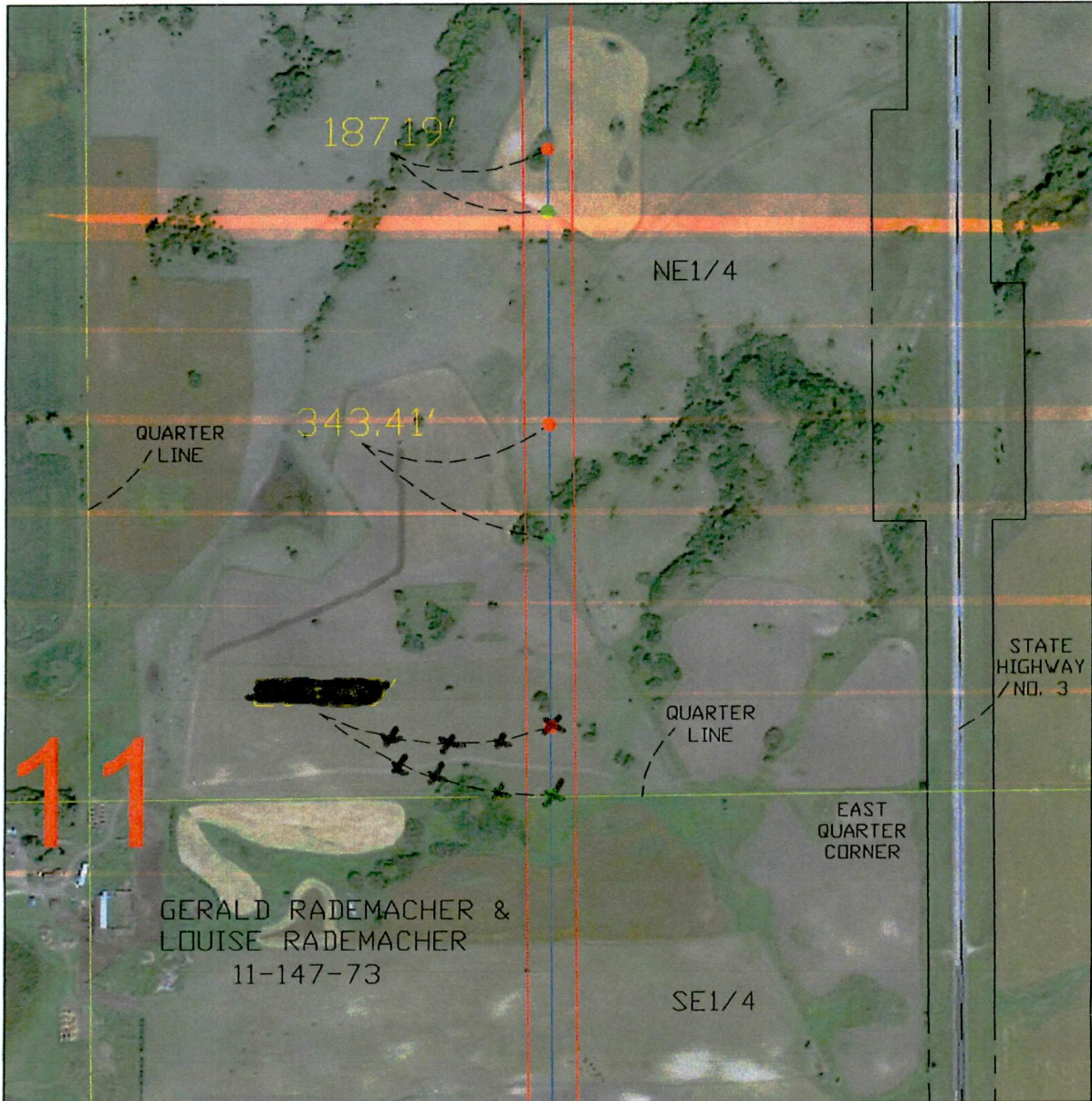
SCALE:

1" = 500'



SR-CGF-WL-002

N



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DESCRIPTION S1/2, NE1/4 SEC. 11 TWP. 147N R. 73W

COUNTY WELLS STATE NORTH DAKOTA

OWNER GERALD RADEMACHER & LOUISE RADEMACHER ADDRESS 1034 28TH AVE NE HARVEY, ND 58341

TRANSMISSION FACILITY: CENTER-GRAND FORKS 345 KV

POLE MOVEMENT: ~~343.41'~~ 343.41' DIFFERENCE LENGTH 187.19' DIFFERENCE LENGTH

● = NEW POLE LOCATION

● = PSC APPROVED POLE LOCATION

POLE #: ~~476~~
476
477

DATE: 8/15/2012

PROJECT: CENTER TO GRAND FORKS

To: Minnkota Power Cooperative, Inc	
From: HDR Engineering	Project: Center to Grand Forks 345kV Project
Date: 7/26/2012	Job No: 186001

Re: ESA 272: Dakota Skipper Habitat Impact Minimization Strategies

HDR biologists conducted surveys for the Dakota skipper (*Hesperia dakotae*) in areas of suitable habitat within the Center to Grand Forks 345kV Project right-of-way (ROW). The Dakota skipper is a habitat specialist, an obligate species of high quality prairie, and is listed as a federal candidate species under the Endangered Species Act since 2002. The U.S. Fish and Wildlife Service (USFWS) is currently working on a rule to list the Dakota skipper and another prairie obligate butterfly, the Poweshiek skipperling (*Oarisma poweshiek*), as an endangered species based on widespread population declines documented since 2008. These two prairie obligate butterflies are dependent on an association of plant to provide larval food resources that are utilized throughout the year and nectar resource used by adult butterflies during a short (2-3 weeks) flight period.

The Dakota skipper passes through four developmental stages. The four stages consist of egg, larva, pupa, and adult. The Dakota skipper lives a majority of its life cycle in the larval stage and is dependent upon abundant native grasses for food and shelter. This stage of development begins 7-20 days after adult butterflies deposit eggs on grasses or forbs in July. During the larval stage, this species is susceptible to crushing by cattle, vehicles, or other equipment and machinery. Additionally, grassland fire, grass species composition, soil pH, humidity, and extreme low winter temperatures may be important in determining the survival of larvae. The larvae overwinter in shelters created with silk and plant tissues at or just below the ground surface and begin feeding the following spring before pupating in early June. Among the greatest threats to the survival of this species is conversion of native prairie to non-native grassland. This conversion can occur quickly as when grassland is converted to cropland or it can occur over a period of years such as when an area is infested with non-native plant species or is grown over by shrub and tree species (succession).

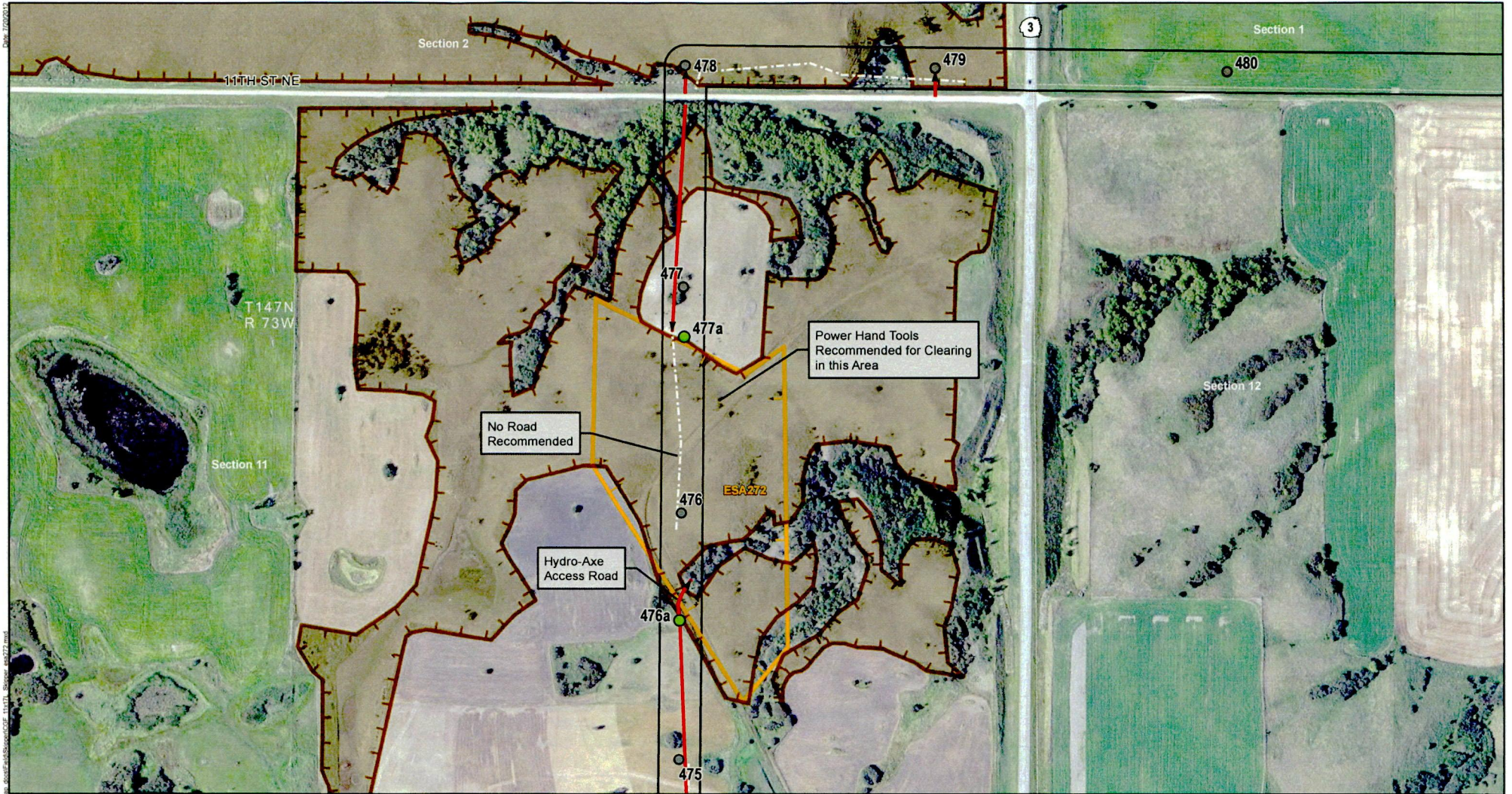
The presence of Dakota skippers was documented within ESA 272 near structure 476 in Sections 2 and 11 of Crystal Lake Township (T157N, R73W) on 7/4/2012. This complex of native prairie habitat occurs within the Project ROW and on adjacent properties from structures 475 to 479. The attached figure displays the location of ESA 272 and suitable Dakota skipper habitat in the vicinity. This memorandum is intended to identify potential minimization strategies within the areas of suitable habitat between structures 476 and 479. A survey report will be prepared and submitted to Minnkota Power Cooperative, Inc (Minnkota) at a later date.

Currently, the Dakota skipper is afforded no legal protection as a candidate species under the Endangered Species Act. However, the USFWS encourages and actively pursues conservation actions for candidate species with private landowners, state agencies, project proponents, and other partners. If effective, these

actions may eliminate the need to list the species as threatened or endangered. If declines in species populations are noted while a species is listed as a candidate, the USFWS could hasten the listing of the species as threatened or endangered, at which point it would become legally protected under the Endangered Species Act. Given declines in Dakota skipper populations noted by biologists and agencies across its range, it is a demonstration of due diligence and good faith to minimize impacts to federal candidate species under the Endangered Species Act.

To minimize impacts to the Dakota skipper and its habitat at this location, HDR identified two alternative pole locations and relocated access roads in areas of suitable habitat. The attached map displays the locations of original and recommended structure locations. Alternative locations for structures 476 and 477 are depicted and will avoid impacts to suitable habitat. The avoidance of this habitat will be accomplished by spanning areas that harbor the Dakota skipper. Span lengths of the original configuration (approximately 826 feet) and of the alternative configuration (approximately 960 feet) are included on the attached map. Access road recommendations are provided to modify access to structure 476 and eliminate a road within ESA 272. The proposed road would access structure 476 from the south (from structure 475) through an agricultural field. In other habitat areas, the shortest road route was identified, i.e. at structures 478 and 479.

Tree clearing is a potentially beneficial activity that could maintain the current native prairie character of ESA 272 and diminish affects to the Dakota skipper. Several steps can be taken to limit the effects of construction on this butterfly. Limiting vehicle and construction equipment traffic to the shortest route and not tracking across grassland habitat will reduce the potential of crushing Dakota skipper larvae at this location. To minimize impacts to suitable habitat, the wooded area north of structure 477 and south of structure 478, could be accessed by a hydro-axe from 11th Street Northwest. The forested swale immediately north of proposed structure location 476a, could be accessed by the hydro-axe, by approaching the area from the south, using the access road which would service structure 475. The remaining woody vegetation within the ESA is small enough and of low enough density that hand tools could be sufficient for their removal.



- | Pole Locations | | Access Roads | | Project ROW - April 25, 2012 | |
|--------------------------------------|------------------------|------------------------------------|--------------------|------------------------------|------------------------|
| ● | Proposed Pole Location | → | Proposed Alignment | | Dakota Skipper Habitat |
| ● | Original Pole Location | | Original Alignment | | ESA 272 |

Span Widths
 T478 to T477: 814 ft
 T478 to T477a: 995 ft
 T477 to T476: 826 ft
 T477a to T476a: 1,038 ft

Dakota Skipper Habitat Impact Minimization
 ESA 272
 Wells County, North Dakota
 Center to Grand Forks 345 kV Transmission
 Minnkota Power Cooperative

0 200 400 600 Feet
 Scale 1:4,000

Aerial photography (c) 2010 Microsoft Corporation and its data suppliers.

Center to Grand Forks Project



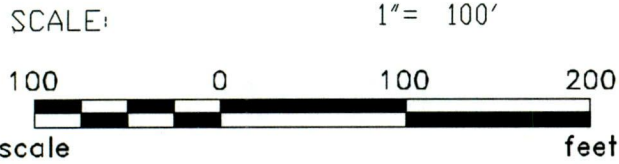
▶ CGF Project – Structure Relocation Approval Request

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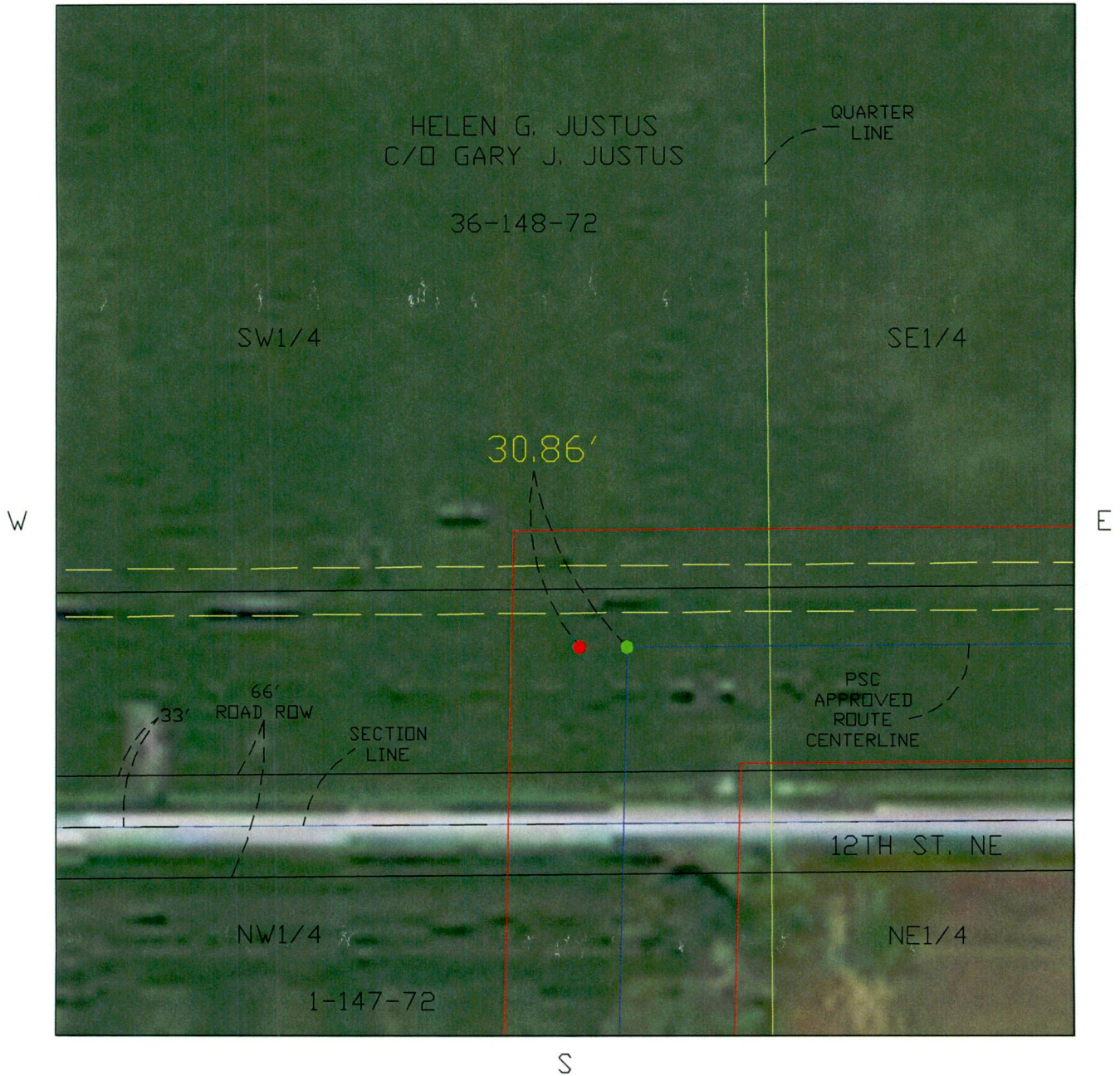
SR-CGF-WL-003

Michael Hennes ▶ Minnkota Power Cooperative, Inc. ▶ 9/27/2013

<u>Relocation Request:</u>	<p>Minnkota requests approval of a shift in the location of Structure 517 in Wells County (<i>see</i> attached map showing original and new structure locations).</p> <p>Minnkota requests approval of this relocation post installation as this exhibit was missed in our October 2012 filings.</p>
<u>Location:</u>	<p>E1/2 of SE1/4 of Section 36, Township 148 North, Range 72 West, Wells County, North Dakota.</p> <p>Relocated structures will remain within the approved Route, and on the same landowners' property.</p>
<u>Reason for Relocation:</u>	<p>Pole location moved at the request of the landowner to minimize impacts to farming.</p>
<u>Environmental Review/Compliance with Siting Criteria:</u>	<p>New structure locations were included in prior surveys for cultural resources and wetlands, and no cultural resources or wetlands will be impacted by structure relocations (<i>see</i> reports submitted as Exhibits K and M).</p> <p>No exclusion or avoidance areas will be impacted by structure relocations.</p>



SR-CGF-WL-003



DESCRIPTION E1/2 OF SE1/4 SEC. 36 TWP. 148N R. 72W
 COUNTY WELLS STATE NORTH DAKOTA
 OWNER HELEN G. JUSTUS ADDRESS 1281 37TH AVE NE HARVEY, ND 58341
 OWNER C/O GARY J. JUSTUS, POA ADDRESS 10732 DUNHILL TERRACE, RALEIGH, NC 27615
 TRANSMISSION FACILITY: CENTER-GRAND FORKS 345 KV

EASEMENT: 30.86' DIFFERENCE
LENGTH

● = NEW POLE LOCATION POLE #: 517 DATE: 10/02/2012
 ● = PSC APPROVED POLE LOCATION PROJECT: CENTER TO GRAND FORKS