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February 22, 2011

Ms. Patsy Crook
 U.S. Army Corps of Engineers
 North Dakota Regulatory Office
 1513 South 12th Street
 Bismarck, North Dakota 58504-6640

Re: USACE Project Number: MDU- NOW-2010-1163-BIS
 Merricourt Wind Farm to Ellendale 230 kV Transmission Line; Merricourt Interconnection
 Substation, Jurisdictional Determination.

Dear Ms. Crook:

HDR, Inc., is submitting the attached information, on behalf of Montana-Dakota Utilities, Co. (Montana-Dakota), requesting Approved Jurisdictional Determinations (JDs) for two wetland areas associated with the above referenced project.

Montana-Dakota has proposed to construct, own, and operate an approximately 30-mile-long, 230 kilovolt (kV) transmission line from the proposed Merricourt Wind Farm Substation in McIntosh County, North Dakota, to the city of Ellendale in Dickey County, North Dakota (Figure 1). This project is referred to as the Merricourt Wind Farm to Ellendale Transmission Line Project (Project). The Project would consist of the following three major components: (1) 230 kV transmission line, (2) Ellendale Junction Substation upgrades, and (3) new Merricourt Interconnection Substation. The wetland areas the JD is being requested for are located near the proposed Merricourt Interconnection Substation (Figure 2).

In November 2010, HDR performed a routine wetland determination and delineation of the Project area resulting in the identification of multiple wetland resources. At this time, Montana-Dakota is requesting an Approved Jurisdictional Determination for only two of the wetland resources (Table 1). The remaining wetland resources identified in the route will not be impacted because wetlands will be spanned and transmission line structures will be placed in upland areas. As mentioned above, the wetland areas lie within the boundaries of the proposed new Merricourt Interconnection Substation. Although design plans for the proposed substation are yet to be developed, the possibility exists that the referenced wetland areas may be impacted by the project. Therefore, Montana-Dakota is requesting a JD of the resources in order to better identify permitting requirements, possible avoidance of the wetland areas, and any potential mitigation that may be required.

HDR Engineering, Inc.

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Table 1: Wetland Information

Wetland ID	Sec, Twn, Rng	Cowardin Classification	Wetland Description
278	3-130N-67W	PEMB	Patchy prairie cordgrass fringe with matted down juncos in center. <i>Eleocharis acicularis</i> scattered throughout. Cow trampled with no surface hydrology at sampling. Upland is heavily grazed prairie dominated by Kentucky bluegrass.
224	3-130N-67W	PEMA	Very patchy prairie cordgrass at edges leading to matted down juncos in center; traces of curly dock. Minor cattle disturbance. Upland is heavily grazed prairie.

Based upon review of the wetlands in accordance with the U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook, HDR believes the wetland resources in question meet the definition of isolated waters. The wetland areas consist of shallow, closed (no inlet or outlet) depressional features surrounded by grazed upland grasses. There is no visible (direct or indirect) connection to a Water of the U.S. The resources do not meet any of the conditions that would create a significant nexus with any type of water of the U.S.

Enclosed you will find the following: Project Location Map (Figure 1), Delineated Wetland Features Map (Figure 2), Routine Wetland Determination Data forms, and ground-level site photography. Due to the large number of wetland resources identified within the Project area, wetland determination data forms were not collected at every wetland. The wetland data form included in this submittal was collected at a similar, representative wetland within the Project Area. If you have any questions, please contact Kelly Garvey at 763-591-5453.

Sincerely,
HDR Engineering, Inc.



Kelly Garvey
Project Manager

Cc: Henry Ford, Montana-Dakota Utilities
Abbie Krebsbach, Montana-Dakota Utilities

Enclosures: Project Location Map
Delineated Wetland Features Map
Routine Wetland Determination Data forms
Ground-level site photography