



July 15, 2021

Patrick Fahn
Director, Public Utilities Division
North Dakota Public Service Commission
600 East Boulevard; Department 408
Bismarck, ND 58505-0480

Re: PU-11-692 - Basin Electric Power Cooperative - Williston Tie 345/230-kV Transmission Line - Notice of Noncompliance

Dear Mr. Fahn:

This letter is in response to your letter dated June 15, 2021, regarding apparent noncompliance with the Tree and Shrub Mitigation Specifications in the above-captioned case. Basin Electric Power Cooperative's (**Basin Electric's**) explanation and proposed corrective action is presented below.

At the North Dakota Public Service Commission (**NDPSC**) hearing on April 10, 2012, Basin Electric employee Mr. Cris Miller testified that "HDR did do the field biological surveys and no trees and shrubs were identified." Please refer to page 100 of NDPSC Docket Item #23 (Public Hearing Transcript) for the text as it appears in the full document. In addition, visual inspection of air photos included in the application show no shelter belts or other treed areas in the project corridor.

Because no trees or shrubs were impacted by transmission line construction, no tree and shrub mitigation plan was prepared by Basin Electric and submitted to the NDPSC for approval. Basin Electric believes it is in compliance with the intent of the order. If required by the NDPSC, however, Basin Electric would submit a plan indicating no trees and shrubs were removed and no replants are necessary.

Please contact me at ksolie@bepc.com or 701.202.5096 if you have any questions or require additional information.

Sincerely,

A handwritten signature in blue ink that reads "Kevin L. Solie".

Kevin L. Solie, P.E.
Senior Environmental Compliance Administrator

/kls

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Response to 15 June 2021 Notice of Noncompliance
Basin Electric Power Cooperative
Kevin Solie, P.E.