

Date: Friday, August 26, 2016

Project: Big Stone South to Ellendale(BSSE) 345kV (Case No. PU-13-840)

To: North Dakota Public Service Commission

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

Subject: **Threatened and Endangered (T&E) Species Update for 2016**

On July 10, 2014, and amended on December 16, 2015, the North Dakota Public Service Commission (Commission) issued its Order and Supplemental Order granting Certificate of Corridor Compatibility No. 154 and Route Permit No. 166 (together with the Findings of Fact, Conclusion of Law, and Order, hereinafter referred to as the Order) for the Big Stone South to Ellendale 345kV Transmission Line Project (Project) (Case No. PU-13-840).

According to Certification 9 – “Company agrees to report promptly to the Commission the presence in the permit area of any critical habitat or threatened species, endangered species, bald eagles, or golden eagles of which Company becomes aware and which were 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 Project conducted surveys for the listed species in July 2013, July 2014, and July 2015 in suitable habitat areas. No suitable habitat was identified in the Project area in North Dakota. No protected butterflies were located within the survey areas in South Dakota during this survey. The reports were provided to the USFWS and the South Dakota Game, Fish, and Parks.

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 conducted 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.