

June 20, 2018

Darrell Nitschke
Director of Administration/Executive Secretary
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Montana-Dakota Utilities Co. / Otter Tail Power Company 345KV Transmission Line
- Dickey County Siting Application
Case No. PU-13-840**

Supporting Documents for the Certificate of Corridor Compatibility and Route Permit

Dear Mr. Nitschke:

Otter Tail Power Company and Montana-Dakota Utilities Co. (Applicants) hereby submit the following documents in support of the July 10, 2014 Order, and the Supplemental Orders dated December 16, 2015 and November 29, 2017, 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) by the North Dakota Public Service Commission (Commission):

- Exhibit A. United States Army Corps of Engineers North Dakota Region Nationwide Permit Reauthorization
- Exhibit B. Dickey County Road Approach
- Exhibit C. Natural Resources Conservation Service Planting Plan for trees that were browsed by deer

A CD containing a copy of this letter and the above referenced documents in PDF format is enclosed.

An electronic copy of this filing is also being sent to you at dnitschk@nd.gov and to the North Dakota Public Service Commission at ndpsc@nd.gov.

If you have any questions regarding this filing, please contact me at 218-739-8607 or pbeithon@otpc.com.

Sincerely,

/s/ PETE BEITHON

Pete Beithon

Manager, Regulatory Recovery

Otter Tail Power Company

ljh

Enclosures

By electronic filing and U.S. mail

cc: Dickey County Auditor's Office
c/o Bev Kuska
209 North 2nd Street
Ellendale, ND 58436

REPLY TO
ATTENTION OFDEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640

May 24, 2017

North Dakota Regulatory Office

[NWO-2012-2940-BIS]

Mr. Al Koeckeritz
Otter Tail Power Company
215 S Cascade Street
PO Box 496
Fergus Falls, Minnesota 56538

Dear Mr. Koeckeritz

We have reviewed your request for Department of the Army (DA) reauthorization to construct a 345kV transmission line traversing about 162 miles through North Dakota and South Dakota, of which nine (9) miles will be in North Dakota. The project is located in Sections 9, 10, 15, 22, 23, 24, and 25, Township 129 North, Range 63 West, Sections 24, 25, 19, 20, 29, and 32, Township 129 North, Range 62 West, Dickey County, North Dakota.

The 2012 Nationwide Permits expired on March 18, 2017. We were notified that this project would not be completed by the March 18, 2018 deadline for projects under construction, so therefore, it will need to be reauthorized under the 2017 Nationwide Permits. We were also informed that two structures – 30 and 31 (Labeled as structure 032-P and 033-P in the application) will require minor route shifts for engineering and safety purposes. Structure 31 was located in a jurisdictional wetland and the shift does not affect the impact to the wetland; the new structure location is still within the same wetlands.

Based on the information provided, you may proceed with your project in accordance with the terms and conditions of DA Nationwide Permit No. 12, found in the January 6, 2017 Federal Register (82 FR 1860), Reissuance of Nationwide Permits. Enclosed is a fact sheet that fully describes this Nationwide Permit and lists the General, Regional and Water Quality Certification Conditions that must be adhered to for this authorization to remain valid. **Please note that deviations from the original plans and specifications of your project could require additional authorization from this office.**

This determination is applicable only to the permit program administered by the Corps of Engineers. It does not eliminate the need to obtain other Federal, state, tribal, and local approvals before beginning work.

You are responsible for all work accomplished in accordance with the terms and conditions of the Nationwide Permit, **including the Regional Conditions specific to projects undertaken in North Dakota**. If a contractor or other authorized representative will be accomplishing the work authorized by the Nationwide Permit on your behalf, it is strongly recommended that they be provided a copy of this letter and the attached conditions so that they are aware of the limitations of the applicable Nationwide Permit. Any activity that fails to comply with all of the terms and conditions of the Nationwide Permit will be considered unauthorized and subject to appropriate enforcement action.

In compliance with General Condition 30, **you are required to submit the following project compliance certification within thirty (30) days of project completion**. [Please check all applicable statements]

- I certify that I have completed the projects as permitted.
 I certify that I have completed a modified version of the projects.
 I certify that I have completed all required mitigation.

Permittee's Signature: _____ **Date:** _____

This verification will be valid until **March 18, 2022**. If the nationwide permit is modified, suspended, or revoked prior to this date, but is reissued without modification or the activity complies with any subsequent modification, this authorization remains valid until the expiration date. All of the existing nationwide permits are scheduled to be modified, reissued, or revoked prior to **March 18, 2022**. It is incumbent upon you to remain informed of changes to the nationwide permits. We will issue a public notice when the nationwide permits are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation to complete the activity under the present terms and conditions.

Should you at any time become aware that either an endangered and/or threatened species or its critical habitat exists within the project area, you must immediately notify this office.

Special Conditions

The project is located within the known range of the piping plover (*Charadrius melodus*), whooping crane (*Grus Americana*), red knot (*Calidris canutus rufa*), Dakota Skipper (*Hesperia dacotae*), Poweshiek skipperling (*Oarisma Poweshiek*), and the Northern Long-eared Bat (*Myotis septentrionalis*). These species are listed as Threatened or Endangered under the Endangered Species Act. The required conditions are set forth by the U.S. Fish and Wildlife Service in its Intra-Service Section 7 Biological Evaluation Form – Region 6, dated January 5, 2016 (portions attached in original authorization) that include conservation measures for grassland and wetland easements, and various Best Management Practices or conservation measures for wildlife and threatened and endangered species.

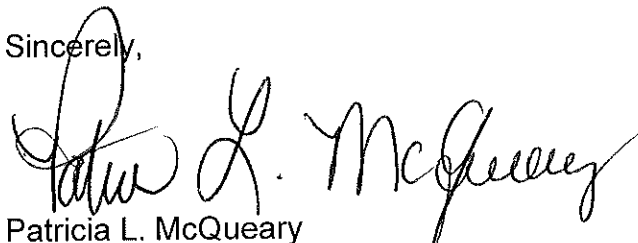
In addition, a transmission line marking plan has been developed to reduce the potential for bird strikes. The plan is consistent with the APLIC recommendations for *Avian Collisions with Power Lines; The State of the Art in 2012* (APLIC, 2012). The line marking plan is also attached and shall be implemented according to this plan.

A copy of this letter is being sent to Mr. Brian Hunker, Project Manager HDR, Inc., 701 Xenia Ave South, Suite 600, Minneapolis, MN 55416.

The Omaha District, North Dakota Regulatory Office is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete our Customer Service Survey found on our website at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. If you do not have Internet access, you may call and request a paper copy of the survey that you can complete and return to us by mail or fax.

If you have any questions concerning this determination or jurisdiction, please feel free to contact Ms. Patsy Crooke of this office at (701) 255-0015, extension 2002, and reference Nationwide Permit No. **NWO-2012-2940-BIS**.

Sincerely,



Patricia L. McQueary
Regulatory Program Manager
North Dakota

Enclosures

You are responsible for all work accomplished in accordance with the terms and conditions of the Nationwide Permit, **including the Regional Conditions specific to projects undertaken in North Dakota**. If a contractor or other authorized representative will be accomplishing the work authorized by the Nationwide Permit on your behalf, it is strongly recommended that they be provided a copy of this letter and the attached conditions so that they are aware of the limitations of the applicable Nationwide Permit. Any activity that fails to comply with all of the terms and conditions of the Nationwide Permit will be considered unauthorized and subject to appropriate enforcement action.

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DICKEY COUNTY

PERMIT FOR ROAD APPROACH

Service Fee: \$100.00

Permit Fee: \$400.00

(Permit fee to be refunded after approved completion)

Name: Otter Tail Power Co.

Address: 215 S. Cascade Street

Fergus Falls Mn 56537

"Applicant" requests permission to ^{widen} ~~construct~~ a road ^{Radius} approach or to add to an existing approach on the Dickey County Highway right-of-way along the 102nd St. SE.

(Direction)

Side of the County Road Address: Widen Radius at intersection of 102nd St. SE + 388th Ave South
Side of Road 102nd St. SE.

Street / Ave.

Approach Location: Section 1 + 6, Township Osceola, Range 64
Savo 63

Approach Width Requested (Min 24'—Max 40') 90' opening feet.

Approach In slopes: 6:1 Culvert required: NO Culvert Size (18" minimum) _____.

Authorization is hereby given to _____

Of _____ to construct an approach to minimum standards as determined and shown on the attached sheet. Authorization by the undersigned County Official does not relieve the applicant of any legal responsibilities. If approach construction does not meet minimum standards, corrections will be made at the expense of the applicant within 30 days or approach will be removed by the order of the Dickey County Commissioners. All Expensed incurred will be the responsibility of applicant.

Otter Tail Power Co.
Keith Kelly
Applicant

605-880-3470

Contact # (Phone-Cell)

Jeffrey A. Hays
County Road Supt. Approved

11/13/2017

Dated

DICKEY COUNTY

PERMIT FOR ROAD APPROACH

Service Fee: \$100.00

Permit Fee: \$400.00

(Permit fee to be refunded after approved completion)

Name: Otter Tail Power Co.

Address: 215 S. Cascade Street

Fergus Falls MN 56537

"Applicant" requests permission to ^{widen} ~~construct~~ a road ^{Radius} approach or to add to an existing approach on the Dickey County Highway right-of-way along the 100th St SE + 91st Ave SE

(Direction)

Side of the County Road Address: North side of 100th St SE. Widen Radius at intersection of 100th St. SE + 91st Ave SE.

Street / Ave.

Approach Location: Section 19 + 20, Township Van Meter, Range 62.

Approach Width Requested (Min 24'—Max 40') 90' opening feet.

Approach In slopes: 6:1 Culvert required: No Culvert Size (18" minimum) _____.

Authorization is hereby given to _____

Of _____ to construct an approach to minimum standards as determined and shown on the attached sheet. Authorization by the undersigned County Official does not relieve the applicant of any legal responsibilities. If approach construction does not meet minimum standards, corrections will be made at the expense of the applicant within 30 days or approach will be removed by the order of the Dickey County Commissioners. All Expensed incurred will be the responsibility of applicant.

Applicant

Contact # (Phone-Cell)



County Road Supt. Approved

11/13/2017

Dated

DICKEY COUNTY

PERMIT FOR ROAD APPROACH

Service Fee: \$100.00

Permit Fee: \$400.00

(Permit fee to be refunded after approved completion)

Name: Otter Tail Power Co.

Address: 215 S. Cascade Street

Fergus Falls Mn 56537

"Applicant" requests permission to ^{widen} ~~construct~~ a road ^{Radius} ~~approach~~ or to add to an existing approach on the Dickey County Highway right-of-way along ~~the~~ 93rd Ave SE + 100th St SE

(Direction)

Side of the County Road Address: West side of 93rd Ave SE widen intersection Radius at
93rd Ave SE + 100th St. SE
Street / Ave.

Approach Location: Section 21 + 28, Township Van Meter, Range 62.

Approach Width Requested (Min 24'—Max 40') 90' opening feet.

Approach In slopes: 6:1 Culvert required: No Culvert Size (18" minimum) _____.

Authorization is hereby given to _____

Of _____ to construct an approach to minimum standards as determined and shown on the attached sheet. Authorization by the undersigned County Official does not relieve the applicant of any legal responsibilities. If approach construction does not meet minimum standards, corrections will be made at the expense of the applicant within 30 days or approach will be removed by the order of the Dickey County Commissioners. All Expensed incurred will be the responsibility of applicant.

Otter Tail Power Co
Keith Kelly
Applicant

605-880-3470

Contact # (Phone-Cell)

Jeffrey A. Hayes
County Road Supt. Approved

11/13/2017

Dated

DICKEY COUNTY

PERMIT FOR ROAD APPROACH

Service Fee: \$100.00

Permit Fee: \$400.00

(Permit fee to be refunded after approved completion)

Name: Otter Tail Paper Co.

Address: 215 S. Cascade Street

Fergus Falls Mn 56537

"Applicant" requests permission to construct a road approach or to add to an existing approach on the Dickey County Highway right-of-way along the 87th Ave SE.

(Direction)

Side of the County Road Address: West side of 87th Ave SE approx. 530' North of State Hwy 11

Street / Ave.

Approach Location: Section 9, Township Ellendale, Range 63.

Approach Width Requested (Min 24'—Max 40') 30' feet.

Approach In slopes: 6:1 Culvert required: _____ Culvert Size (18" minimum) 18" culvert to be installed

Authorization is hereby given to _____

Of _____ to construct an approach to minimum standards as determined and shown on the attached sheet. Authorization by the undersigned County Official does not relieve the applicant of any legal responsibilities. If approach construction does not meet minimum standards, corrections will be made at the expense of the applicant within 30 days or approach will be removed by the order of the Dickey County Commissioners. All Expensed incurred will be the responsibility of applicant.

Otter Tail Paper Co
Keith Kelly
Applicant

605-880-3470

Contact # (Phone-Cell)

Jeffrey A. Meyer
County Road Supt. Approved

11/13/2017

Dated

Check Requisition - Otter Tail Power Company

Date 11/13/17

To: Accounting Department

Vendor or Supplier Name _____

Date to draw check: 11/14/17

Please issue a check for \$ 400.00

Acctg. month if other than current: _____

To Jeff Hagen - Dickey County Highway Superintendent
(30 space limit)

Name overflow _____
(30 space limit)

Address 213 15th Street North
(30 space limit)

City, state & zip Ellendale, ND 58436

Check stub should r Dickey County Road Approach Permits

For (explanation) Dickey County Road Approach Permits

Signed *Rexie Jon* Approved *Allyson Bays*

Div./Dept. Acctg. required

Project	Task	Expenditure Type	Expenditure Org.	Amount
105643	PERMIT	FEES	0350	\$400.00

Div./Dept. Acctg. required

CO.	BU.	CC.	Acct.	Sub.Acct.	Acty.	Proj.	Prod.	Loc.	Amount

OTP Form 425 - 1/00

Whenever possible, attach the enclosure to this requisition to eliminate check traffic back to your department. The reason a check should be returned to a department for transmittal is that it is to be hand delivered.

COMPLETE ONLY IF NECESSARY

- Enclosure to go with check
- Deliver check to _____ Cost center no. _____
- Return this stub to _____ Cost center no. _____
- to inform me that check drawn to _____
- was mailed on _____ Check no. _____

Jensen, Lexie

From: Schnoor, Veronica
Sent: Monday, November 13, 2017 2:32 PM
To: Moxness, Lori; Jensen, Lexie
Subject: FW: North Dakota per is
Attachments: 2017_11_13_13_32_11.pdf; ATT00001.txt

Lori and Lexi,

Could one of you issue a check for \$400 to Jeff Hagen Dickey County Highway Superintendent for the four permits attached?

There usually is a \$100 engineering fee but that has been waived. Also could you expedite the payment so he gets it fairly quickly?

If you have any questions please call Keith Kelly.

Thank you,

Veronica Schnoor
Administrative Assistant, Project Management Otter Tail Power Company
Email: vschnoor@otpc.com
Phone: 218-739-8797

-----Original Message-----

From: Kelly, Keith
Sent: Monday, November 13, 2017 1:53 PM
To: Koeckeritz, Al <akoeckeritz@otpc.com>
Cc: Schnoor, Veronica <vschnoor@otpc.com>
Subject: North Dakota per is

Al,
I have enclosed four permits from Dickey County for road radius widening and approach build. We need to send a check for \$400.00 to Jeff Hagen the highway superintendent. His address is:
Dickey County Highway Superintendent
Jeff Hagen
213 15th Street North
Ellendale ND 58436

If you have any questions please get back to me. Thanks.

Exhibit C

18 129 62

Red lines indicate where trees were replaced by the James River Soil Conservation District.

Species:

10 - Ponderosa Pine

50 - Black Hill Spruce

24 - Colorado Blue Spruce

