

400 North Fourth Street  
Bismarck, ND 58501  
701-222-7900

August 17, 2021

Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480

RE: Mandan to Ellendale Transmission System Upgrade Project  
Case No. PU-20-342

Montana-Dakota Utilities Co. herewith electronically submits additional information requested during the June 14, 2021 telephone call.

Please contact me at 701.222.7855 or [travis.jacobson@mdu.com](mailto:travis.jacobson@mdu.com) if you have any questions.

Sincerely,

*/s/ Travis R. Jacobson*

Travis R. Jacobson  
Director of Regulatory Affairs

## TECHNICAL MEMORANDUM

**To:** Public Service Commission  
600 East Boulevard Avenue, #408  
Bismarck, North Dakota 58505

**From:** Montana-Dakota Utilities Co.

**Date:** August 10, 2021

**Re:** **Additional Analysis of the Heskett to Ellendale 230-kV Transmission Line Reconductoring Project, North Dakota / Case No. PU-20-342**

---

### INTRODUCTION

On behalf of Montana-Dakota Utilities Co. (Montana-Dakota), and at the request of the North Dakota Public Service Commission (PSC), SWCA Environmental Consultants (SWCA) is submitting this additional analysis of the Heskett to Ellendale 230-kV Transmission Line Reconductoring Project, North Dakota / Case No. PU-20-342. On December 2, 2020, Montana-Dakota filed with the PSC an Exclusion and Avoidance Areas Evaluation for the project under a technical memorandum dated November 25, 2020. On March 30, 2021, the PSC provided a response requesting additional information. On April 30, 2021, Montana-Dakota provided a technical memorandum to the PSC with the additional information. On June 14, 2021, the PSC requested additional information from Montana-Dakota in a telephone call. This technical memorandum provides the responses to the PSC's June 14, 2021, telephone call requesting additional information.

### QUESTIONS AND REQUESTS FOR ADDITIONAL INFORMATION AND RESPONSES

- 1. Please provide State Historic Preservation Office (SHPO) correspondence noting "No Historic Properties Affected."**

Montana-Dakota met with the SHPO on June 3, 2021, to discuss the project and options for obtaining correspondence from the SHPO for the PSC. Montana-Dakota is in the process of providing the SHPO with a cultural resource summary review from which the SHPO will review potential impacts to cultural resources.

Montana-Dakota is committed to working with the SHPO to obtain clearance for the project and avoidance of cultural resources to the extent practicable.

**2. For each Wildlife Management Area (WMA) and Waterfowl Production Area (WPA) please refine the assessment of impacts and demonstrate how these areas were avoided or buffered.**

In the November 25, 2020, technical memorandum (Exclusion and Avoidance Areas Evaluation for the Heskett to Ellendale 230-kV Transmission Line Reconductoring Project, North Dakota), Montana-Dakota stated the following practices for avoidance and minimization measures for wetlands associated with WMAs and WPAs.

***Wildlife Management Area***

“Along the ROW corridor, WMAs are limited to areas where Montana-Dakota previously installed bird diverters to reduce the potential for avian collisions and fatalities. As stated above, Montana-Dakota is planning access routes within the ROW corridor to avoid wetlands and will be moving vehicles within the ROW when soils are sufficiently dry to minimize rutting. These measures reduce the potential for adverse impacts to wildlife and habitat due to the presence of the line and reconductoring activities” (page 7).

***Waterfowl Production Area***

“Since the transmission line is already in place, there is no expected net increase in impact to species that may use WPAs as habitat associated with the presence of the poles and lines themselves. Construction and maintenance activities associated with reconductoring and new pole placement are expected to be temporary and minor and include noise, an increase in activity, and limited surface disturbance during pole installation. General measures to limit potential surface impacts to vegetation or the ground surface have been previously described” (page 7).

***Avoidance Practices***

During construction, which consists of maintenance activities associated with reconductoring and new pole placement, Montana-Dakota is planning access routes within the ROW corridor to avoid wetlands in the WMAs and WPAs and will be moving vehicles within the ROW when soils are sufficiently dry to minimize rutting. Additional avoidance and minimization practices for WPAs and WMAs include the following (as noted in the November 25, 2020, technical memorandum, page 6, and the additional analysis technical memorandum dated April 30, 2021).

- Vehicle and equipment operation and movement within the ROW corridor will occur during generally dry conditions to minimize surface impacts and rutting.
- Access routes and vehicular travel within the ROW corridor will be planned to avoid discrete avoidance and exclusion areas within the ROW corridor to the maximum extent practicable.
- Access routes and vehicular travel within the ROW will be planned to avoid wetlands to the maximum extent practicable.
- Improved roads, minimum maintenance roads, and established two-track roads located within the existing ROW will be used to prevent new ground surface impacts when possible.
- When traversing wet areas, including wetlands and waterbodies, temporary construction matting will be used to minimize impacts to the aquatic resources and surrounding ground surface.

Where feasible, Montana-Dakota will buffer the bodies of water within WMAs and WPAs by 50 feet as an avoidance practice to minimize surface impacts.

**3. Refine Gypsum discussion. Define geological significance of gypsum and why it is included as avoidance area.**

The Gypsum extent is not an avoidance area or geological significance as defined by the North Dakota Administrative Code (NDAC) 69-06-08-02. While the Gypsum extent is not considered geologically unstable, as a precautionary measure, Montana-Dakota identified areas along the route with Gypsum extent as a notification for their construction personnel. The Gypsum extent is not anticipated to have any impacts on the project.

**4. Please define water wells as an avoidance area and identify possible rural water use. Review TL088-1 poles 61 and 62 and explain avoidance.**

Exclusion and avoidance areas, as defined in NDAC 69-06-08-02, include the following relating to water wells: reservoirs and municipal water supplies and water sources for organized rural water districts. The water wells noted as avoidance areas in the maps and technical memoranda do not meet the NDAC avoidance criteria. Montana-Dakota placed the locations of local water wells on maps as a notification for their construction personnel to avoid them during construction. The water well at TL088-1 between poles 61 and 62 was driven around during reconductoring and there was no impact to the local water well in this location. Poles 61 and 62 were not replaced during construction.

**5. Please refine statement about residence buffers and provide language or description of how impacts were minimized.**

The project consists of four sections of transmission line identified as TL088-1, TL089-1, TL091-1, and TL151-1. With the exception of the TL151-1 section that was added in 2012, the line was constructed prior to 1979. Many of the locations of residences, schools, and places of business have been in place since that time and total avoidance of all these locations at 500 feet cannot be achieved.

In the November 25, 2020, technical memorandum, page 5, Montana-Dakota noted that “residence, school, or place of business locations were buffered by 500 feet.” Additionally, of the area of the project within Bismarck, North Dakota, Montana-Dakota noted it would “plan access routes and movement of equipment to minimize noise and activity around residences, businesses, and schools” where feasible. The buffering of these structures (i.e., residence, business, and school locations) by 500 feet or by the maximum distance allowed within the 600-foot ROW within the Bismarck area allows for minimization of impacts.

For line segment TL088-1, Montana-Dakota used a new conductor that has a higher electrical capacity for a fixed physical size and weight when compared to traditional wire, resulting in a higher rating without increasing the size of the wire. This allows Montana-Dakota to use existing pole structures for this line segment, eliminating the need to remove and replace pole structures, and effectively reducing the project impacts. Additionally, in the area of highest density of residences, Montana-Dakota limited access to the corridor for only the equipment necessary to reconductor the line and construction personnel were on foot during the construction.

**6. Please discuss the Private Land Open to Sportsmen (PLOTS) narrative and confirm that these are not state-registered wildlife areas or a significant recreation area. Please indicate how impacts were addressed.**

In the November 25, 2020, technical memorandum, the PLOTS areas are noted as private land enrolled by the North Dakota Game and Fish Department (NDGFD) for purposes of hunting as established under North Dakota Century Code (NDCC) chapter 20.1-02027. As such, under the NDCC, these areas could qualify as management areas for the NDGFD as PLOTS land supports the state’s wildlife populations. However, it should be noted that PLOTS land is not registered as state wildlife area of significant recreation areas but was included as areas for construction personnel to be aware that additional wildlife and habitat may be located in these areas during construction.