

Before the Public Service Commission
of
The State of North Dakota

In the Matter of the Application of
BASIN ELECTRIC POWER COOPERATIVE
For a Consolidated Certificate of Corridor Compatibility
and Route Permit for the
Neset to Northshore 230-kV Transmission Project

Case No. PU-21-49

Pre-filed Testimony
of
Kevin Solie

- 1 Q.1. **Please state your name, address and occupation.**
- 2 A.1. My name is Kevin Solie. My business address is 1717 East Interstate Avenue,
3 Bismarck, North Dakota. I am employed by Basin Electric Power Cooperative (“**Basin**
4 **Electric**”) as a Senior Environmental Compliance Administrator.
5
- 6 Q.2. **Would you please state your educational background and professional**
7 **experience?**
- 8 A.2. I earned a Bachelor of Science degree from the University of North Dakota, Grand
9 Forks in 1987 with a major in Geology. In 1995, I received a Master of Science
10 degree from the University of North Dakota with special emphasis on hydrogeology.
11 In 2008, I earned a degree in Geological Engineering, again from the University of
12 North Dakota. From 1991 to 2007, I worked as an Environmental Scientist for the
13 North Dakota State Department of Health, Division of Waste Management. I am also
14 a retired commissioned officer of the North Dakota Army National Guard, having
15 served a one-year tour of duty in Iraq. I was hired by Basin Electric in May 2007, and
16 have worked on a variety of transmission and energy conversion facility siting
17 applications. I am a Professional Engineer, registered in the States of North Dakota
18 and Wyoming.
19
- 20 Q.3. **What have been your responsibilities in connection with the Neset to**
21 **Northshore 230-kV Transmission Project (“Project”)?**
- 22 A3. I am responsible for the overall preparation and coordination of the environmental
23 analysis of this Project within Basin Electric and through our consultant, AECOM, with
24 offices in both Denver and Bismarck. This involved working with an interdisciplinary
25 consultant team, contacting and meeting with public officials, coordinating activities
26 with other Basin Electric departments as well as reviewing and coordinating reports
27 supporting the Public Service Commission (“**Commission**”) application.
28
- 29 Q.4. **What is the purpose of your testimony in this proceeding?**
- 30 A.4. I will describe the methodology used to delineate the proposed corridor and route and
31 to demonstrate, with respect to environmental considerations, that the corridor and
32 route are in accordance with the North Dakota Energy Conversion and Transmission
33 Facility Siting Act and the Commission’s rules and regulations.
34

1 Q.5. **Are you familiar with Basin Electric’s Consolidated Application for a Certificate**
2 **of Corridor Compatibility and Route Permit?**

3 A.5. Yes.

4

5 Q.6. **Does this Application accurately describe the Project?**

6 A.6. Yes.

7

8 Q.7. **Have there been any changes to the Application since Basin Electric submitted**
9 **it?**

10 A.7. Yes. After the application was submitted, Basin Electric’s engineering group
11 evaluated and elected to use a new type of conductor with a carbon fiber core. The
12 new conductor has significantly higher tensile and temperature capacity, allowing
13 higher ampacity and longer spans. According, the number of structures and
14 concomitant environmental impacts are reduced.

15

16 There was another minor corridor shift near the Northshore Substation.

17 Approximately $\frac{3}{4}$ of a mile of corridor was shifted approximately $\frac{1}{4}$ to the north, at the
18 request of the North Dakota Land Department.

19 **I. Corridor and Route Selection**

20 Q.8. **The North Dakota Energy Conversion and Transmission Facility Siting Act,**
21 **found in NDCC Chapter 49-22 (“the Act”) discusses corridors and routes for**
22 **transmission lines, can you please describe corridors and routes?**

23 A.8. The Act defines a corridor the area of land where a designated route may be
24 established for an electric transmission facility and a route is the location of an electric
25 transmission facility within a designated corridor.

26

27 Q.9. **What is the size of the corridor in this Project?**

28 A.9. The corridor is 26.5 miles in length and the corridor widths are 125 and 150 feet wide,
29 which is the easement size that will be used for construction and maintenance for the
30 life of the Project. As the corridor encompasses the route, throughout the rest of my
31 testimony when referring to the corridor, I will be referring to the route and corridor
32 interchangeably unless specifically mentioned.

33

1 Q.10. **Are you familiar with section 69-06-05-02(5) of the North Dakota Administrative**
2 **Code?**

3 A.10. Yes.

4

5 Q.11. **Can you please describe what it says?**

6 A.11. The width of a corridor must be at least ten percent of its length, but not less than one
7 mile or greater than six miles unless otherwise determined by the Commission.

8

9 Q.12. **Mr. Solie, earlier you testified that the corridor width for this Project is either**
10 **125 or 150 feet. Why is Basin Electric requesting a varied corridor width of 125**
11 **feet in some areas and 150 feet in others?**

12 A.12. The corridor width is directly related to the transmission line conductor configuration
13 and the distance between structures. Basin Electric needs to ensure wind loading
14 (also known as “blow out”) does not displace the conductor causing the line to
15 “trespass” outside of the permitted corridor.

16

17 Q.13. **Why is it appropriate for the Commission to approve this corridor?**

18 A.13. Basin Electric proposed a one-mile-wide study area, with a 125 to 150-foot-wide
19 Project corridor, the combination of which provides sufficient information for the
20 Commission to evaluate the factors addressed in section 49-22-09 of the Act. Utilizing
21 a corridor width equal to the width of the right-of-way also helps avoid the confusion or
22 uncertainty for landowners, agencies, and governmental representatives that could
23 occur with a wider corridor. Thus, under the circumstances presented, it is
24 appropriate for the Commission to approve the 125 and 150-foot corridor widths.

25

26 Q.14. **Would you please provide a general description of the route?**

27 A.14. The route lies entirely within Mountrail County in west-central North Dakota. Starting
28 at the existing Neset Substation, the corridor proceeds approximately eight miles to
29 the east, passing across the White Earth River valley and tributaries such as Paulsen
30 Creek and their associated upland breaks in terrain. For the most part, the terrain is
31 gently rolling to rolling with short stretches of rugged badlands. The corridor turns
32 south for approximately 12 miles, and then “stair steps” another six miles to the
33 southeast to the location of the proposed Northshore Substation. The terrain for this
34 mostly north-south segment is gently rolling to undulating, with some pothole lakes.

1 Most of this length has been cultivated and hosts alfalfa, small grain, and oil seed
2 crops. The corridor crosses lands predominately owned by private entities and
3 individuals. Approximately two miles of the route cross lands owned by the State of
4 North Dakota. There are no federally-owned and managed land segments crossed by
5 the Project.

6
7 **Q.15. Who participated in the route selection process?**

8 A.15. A multidisciplinary team at Basin Electric including Environmental, Engineering and
9 Right-of-Way personnel worked together in the route selection process. In addition,
10 consultants to Basin Electric, including staff from AECOM played a role in the route
11 delineation process.

12
13 **Q.16. Would you describe the general philosophy and objectives used by Basin
14 Electric in the delineation and selection of the route?**

15 A.16. The process used by Basin Electric in the analysis of the study area and eventual
16 identification of the route is based upon a deductive approach that is from the general
17 to the specific. This approach entails starting with a broad study area and then
18 narrowing and refining it by incorporating data and other input gathered from
19 landowners, public agencies, and environmental databases to the point where all
20 defined routes are identified in the study area.

21
22 The ultimate goal of the route selection process is to locate a suitable line route
23 between the two end points while adhering to the Commission's Avoidance and
24 Exclusion Area criteria to minimize environmental, cultural, socioeconomic impacts,
25 and reduce costs associated with engineering and construction. Landowners'
26 preferences for the proposed route location strongly influenced the selection of the
27 Project route.

28
29 Basin Electric identified further routing restrictions due to the rapidly changing
30 landscape in western North Dakota. The entire Project falls directly within the Bakken
31 oil development area, posing challenges to avoid the existing infrastructure as well as
32 areas where new oil production and supporting infrastructure may be built.

33
34 **Q.17. Did Basin Electric incorporate public input in the route selection process?**

1 A.17. Yes. Basin Electric and its representatives contacted key local, state, and federal
2 agencies for assistance in identifying concerns or issues within the study area, per
3 North Dakota Administrative Code section 69-06-01-05. Basin Electric has maintained
4 close coordination with landowners throughout the process via in-person meetings,
5 mailers, and phone calls. Each landowner received a pamphlet that detailed specific
6 information about the Project such as Project permitting, design and construction,
7 construction, maintenance, and landowner relations.

8 **II. Exclusion and Avoidance Areas**

9 Q.18. **Mr. Solie, earlier you stated that a factor in selection of a route is the**
10 **Commission’s Avoidance and Exclusion Area criteria. Please describe what an**
11 **“Exclusion Area” is.**

12 A.18. From the North Dakota Administrative Code, section 69-06-08-02(1), an Exclusion
13 Area is a geographical area that must be excluded in the consideration of a route for a
14 transmission facility.

15

16 Q.19. **Please describe what an “Avoidance Area” is.**

17 A.19. From the North Dakota Administrative Code, section 69-06-08-02(2), An Avoidance
18 Area is a geographical area that may not be considered in the routing of a
19 transmission facility unless the applicant shows that under the circumstances there is
20 no reasonable alternative.

21

22 Q.20. **What direction do the Act and the Commission’s Siting Rules provide regarding**
23 **Exclusion and Avoidance Areas?**

24 A.20. Section 69-06-08-02 of the North Dakota Administrative Code provides that,
25 “[e]xclusion and avoidance Areas may be located within a corridor, but at no given
26 point may such an area or areas encompass more than fifty percent of the corridor
27 width unless there is no reasonable alternative.”

28

29 Q.21. **Does the corridor contain any Exclusion Areas?**

30 A.21. No.

31

32 Q.22. **Does the corridor contain any Avoidance Areas?**

33 A.22. Yes. There are several cultural resource sites that intersect or cross the corridor that

1 that would be considered avoidance areas.

2
3 **Q.23. Mr. Solie, would you please provide some additional detail on this issue?**

4 A.23. Yes. Once the corridor was established, Basin Electric's archeological consultant
5 Metcalf Archaeological Consultants (**Metcalf**) conducted a Class III cultural resources
6 survey (also known as a pedestrian survey) along the proposed route. The survey
7 area consisted of a 200 ft. wide corridor centered on the route centerline.

8
9 Metcalf investigated six previously recorded cultural sites and 16 sites were newly
10 recorded. Twenty of the 22 sites will be spanned by the transmission line. Two of the
11 sites cannot be spanned by the transmission line due to topography.

12
13 Following coordination with State Historical Society of North Dakota (**SHSND**) Chief
14 Archaeologist Andrew Clark on how to proceed, test units (one meter by one meter in
15 size) were excavated within the two cultural sites at the proposed structure locations
16 to determine if the structure locations are contributing elements to the site's potential
17 eligibility for the National Register of Historic Places (**NRHP**). The test units at the two
18 structure locations indicated that those portions of the sites are not contributing
19 elements, and the SHSND concurred with the proposed structure locations within the
20 sites.

21
22 Basin Electric has developed avoidance strategies for all eligible or unevaluated sites
23 along the Project corridor and in most cases involve avoidance of impacts to the sites
24 and placing protective fencing around site features during construction.

25
26 Metcalf Archaeological Consultants worked closely with staff from the North Dakota
27 State Historical Society in the evaluation of cultural resources for the Project. Based
28 on this thorough analysis and Basin Electric's avoidance strategies, no impacts to
29 significant cultural resources are anticipated from the Project.

30
31 **Q.24. Has the entire route been surveyed for cultural resources?**

32 A.24. No. Approximately 3% or about 0.75 miles of the corridor remains to be surveyed.

33
34 **Q.25. Why are there areas along the route that have not been surveyed and what's**

1 **Basin Electric’s plan to finish the surveys?**

2 A.25. Basin Electric has not been successful in acquiring survey permission for the
3 remaining lands due to landowner resistance. Once access is given, Basin Electric
4 will survey the remaining areas. The surveys will be completed before any
5 construction on these segments begins.

6
7 Q.26. **Has Basin Electric considered minimization of visual impacts associated with**
8 **the Project?**

9 A.26. Yes. Visual resources within the corridor largely consist of broad expanses of
10 cultivated fields, rangeland, and grasslands. The landscape has been altered by
11 previous development including; oil and gas exploration and production infrastructure,
12 roads, large rural water holding and pumping facilities, cellular towers, and other
13 transmission lines present in the area. Because of the gently rolling terrain in the
14 corridor, the transmission structures will be visible in the general area of the line route;
15 however, the overall character of the land would not be significantly changed.
16 Measures such as utilization of single-pole and H-Frame structures, which provide a
17 much smaller footprint than the traditional four-legged steel-lattice structures help to
18 minimize visual impacts. Additionally, Basin Electric considered the use of either
19 galvanized or weathered steel material to blend into the surroundings; the light-
20 colored galvanized steel structures tend to become less visible with distance as they
21 fade with the horizon.

22 **III. Factors to be considered in evaluating applications and designation of**
23 **sites, corridors, and routes**

24 Q.27. **Did Basin Electric evaluate the impacts to public health and welfare, natural**
25 **resources and the environment that could be expected from the location,**
26 **construction, and operation of the Project?**

27 A.27. Yes. Basin Electric addresses these issues in its application. Specifically, the
28 construction and operation techniques were addressed in Chapter 4 of the application
29 and impacts to the environment and mitigation measures in relation to the route were
30 addressed in Chapter 5. Based on the careful analyses presented in the application,
31 the Project will not have any significant impacts to Public Health and Welfare, Natural
32 Resources, or the Environment.

33
34 Q.28. **Please describe the technologies Basin Electric used to minimize adverse**

1 **environmental effects.**

2 A.28. The Project utilizes the most recent transmission technologies and systems that
3 minimize impacts to the environment. Specifically the incorporation of self-supporting
4 single-pole and H-frame structures will minimize the impact to current land uses, as
5 well as minimize the impacts to biological and cultural resources.

6

7 Q.29. **Please explain how this route results in the efficient use of resources.**

8 A.29. The Project represents a vital resource in the transmission infrastructure required to
9 support the region, incorporates design features such as self-supporting single-pole
10 and H-frame structures that present a minimal footprint to the environment, that when
11 weighed against each other benefit verses impacts, in my opinion, represents an
12 efficient use of resources.

13

14 Q.30. **Please explain the alternatives analyzed and rejected.**

15 A.30. Basin Electric requested agency review of an alternative route study area in addition
16 to the proposed study area. This alternative route study area deviated from the Project
17 Route approximately 0.5 mile south of US Highway 2. From the deviated point, the
18 alternative route angled approximately five miles generally east and then angled south
19 for approximately six miles into the Northshore Substation. Basin Electric ultimately
20 determined that the Project route was preferable to the alternative route based on
21 several factors. The Project route was selected to minimize impact to the environment
22 and to accommodate existing and planned land uses, as well as to minimize
23 construction and maintenance costs. The Project route also has greater landowner
24 acceptance and avoids U.S. Fish and Wildlife Service (**USFWS**) conservation
25 easements, to the extent practicable.

26

27 Q.31. **Did Basin Electric evaluate irreversible and irretrievable commitment of natural
28 resources?**

29 A.31. Yes. The irreversible and irretrievable resource commitments are related to the use of
30 non-renewable resources and the effects that the use of these resources have on
31 future generations. Irreversible effects primarily result from use or destruction of a
32 specific resource that cannot be replaced within a reasonable time frame. Irretrievable
33 resource commitments involve the loss in value of an affected resource that cannot be
34 restored as a result of the action. There are few commitments of resources

1 associated with this Project that are irreversible and irretrievable. Those resources
2 are primarily related to construction, such as construction aggregate, concrete, steel,
3 and hydrocarbon fuel.

4
5 **Q.32. Did Basin Electric evaluate direct and indirect economic impacts of the Project?**

6 A.32. Yes. The direct economic impacts included impacts associated with a small amount
7 of agricultural land being removed from production due to the transmission line. In
8 general, the area surrounding each structure can still be utilized for its existing land
9 use, and landowners will be compensated for the land occupied by the transmission
10 line. The remaining direct and indirect economic impacts are positive impacts.
11 Expenditures made for equipment, energy, fuel, operating supplies, and other
12 products and services will benefit businesses in the county and the state.

13
14 **Q.33. Does the Project impact existing development plans of the state, local
15 government, and private entities at or in the vicinity of the route?**

16 A.33. It is reasonably foreseeable that areas within the route will be considered for oil and
17 gas development. The location of the route is not expected to inhibit the potential for
18 future gas and oil development with the current oil drilling and pad spacing methods
19 utilized in the oil and gas industry. Further, Basin Electric has coordinated placement
20 of the Project with oil and gas developers located within and near the Project area.

21
22 **Q.34. Would the Project have a significant effect on scenic areas, historic sites and
23 structures, and paleontological or archaeological sites?**

24 A.34. There are no designated scenic areas, historic sites and structures, or paleontological
25 sites that would be affected by the Project. As indicated earlier, no significant impacts
26 to cultural resources are anticipated from the Project. Finally, the Project corridor is
27 located in an area affected by Pleistocene glaciation; as such, paleontological
28 resources would be extremely rare since the bedrock is covered by glacial sediments.

29
30 **Q.35. What are the effects on biological resources within the route?**

31 A.35. Basin Electric has implemented measures to avoid and minimize effects to biological
32 resources as discussed in Chapter 5 of the Application. The impact of the Project on
33 biological resources is expected to be minimal. The Project will be designed to
34 minimize impacts to avian species.

1 Q.36. **Mr. Solie, did the environmental studies for the project address any concerns**
2 **for threatened or endangered species?**

3 A.36. Yes. Of particular interest for this Project are the endangered whooping crane and
4 the threatened Dakota skipper.

5

6 Q.37. **Would you please elaborate?**

7 A.37. The Project is located within the USFWS-defined 75% occurrence frequency band of
8 the whooping crane migration corridor. This entire corridor area includes a swath of
9 the central U.S. and extends from south-central North Dakota along the Missouri River
10 to northwest North Dakota through Mountrail County. Power lines represent a
11 documented collision mortality risk for whooping cranes. Standard measures to
12 minimize avian collision risk with overhead transmission lines (i.e., line marking) will
13 be utilized, which is an APLIC Best Management Practice employed by many utilities
14 constructing new transmission lines in the whooping crane migration corridor.

15

16 Q.38 **What about the Dakota skipper?**

17 A.38. Mountrail County is known to have occurrence of the Dakota skipper, a federally
18 threatened butterfly species. The Dakota skipper is a small butterfly (approximate 1-
19 inch wingspan) that lives in high-quality mixed- and tall-grass prairie characterized by
20 rolling hills topography. Basin Electric retained Western EcoSystems Technology, Inc.
21 (**WEST**) to conduct a Dakota skipper habitat assessment for the Project. WEST
22 conducted a field habitat assessment to identify areas of potential Dakota skipper
23 habitat along the corridor during 2020.

24

25 While there are areas of unbroken and broken grasslands crossed by the corridor, no
26 reproductive or foraging habitat was identified. Based on lack of adequate forbs or
27 bunchgrasses, or being previously broken grasslands, most areas were identified as
28 potential dispersal habitat, which is fairly common in the area.

29

30 The WEST study indicated there are no publicly available records of the Dakota
31 Skipper occurring within the Project area or immediate vicinity, and that the closest
32 designated critical habitat to the Project area is 13 miles to the southwest. The WEST
33 report concluded the temporary impacts due construction of the Project are unlikely to
34 impact the species.

1 Q.39. **Has the Project addressed issues raised by agencies?**

2 A.39. Yes. Basin Electric contacted jurisdictional federal, state, and local agencies for
3 comment. The agencies' comments varied according to function and jurisdiction, but
4 generally emphasized a desire to minimize impacts to environmental resources, which
5 Basin Electric has done by incorporating the mitigation measures into the Project. No
6 agency raised any specific problems with the Project. The route that is presented here
7 is a work product of input from multiple local, county, state and federal offices, as well
8 as the multitude of landowners. Basin Electric believes that this route is a balance
9 between a viable, cost-effective project and one that satisfactorily minimizes impacts.

10

11 Q.40. **Will the Project have any impacts to the operation of airports?**

12 A.40. There are no public or private airports airstrips within the study area. The closest
13 airport/airstrip is the Tioga Municipal Airport southeast of Tioga, North Dakota which is
14 located approximately two miles southwest of the Neset Substation. The nearest
15 airport certified for commercial carrier operations is the Williston Basin International
16 Airport located approximately 41 miles southwest of the study area. Spray planes
17 used for aerial application of pesticides or fertilizer operated by local spray plane
18 operators may occur within the study area.

19

20 Q.41. **Mr. Solie, is the route proposed by Basin Electric based solely on economic
21 considerations?**

22 A.41. No.

23 **IV. Selection Criteria**

24 Q.42. **How does the route demonstrate that significant adverse effects, if any, upon
25 agricultural production and ranching, will be kept to an acceptable minimum?**

26 A.42. In selecting the final route, Basin Electric attempted to select a route that would
27 minimize impact to agricultural production. Basin Electric believes that one of the best
28 methods to minimize impacts to agriculture is to place transmission structures on
29 rangeland and grassland to the extent possible. The majority of the route utilizes self-
30 supporting structures placed on quarter section lines and the edge of fields or property
31 lines to reduce impacts to farming and ranching operations.

32

33 The construction and operation of this Project will have minimal effect upon agriculture

1 production. Temporary construction disturbances will be confined to the right-of-way
2 and access roads. Should soil-compaction occur along the right-of-way, Basin
3 Electric will return the land to its pre-construction state, if possible. Further,
4 landowners will be compensated for crop loss that occurs as a result of construction.
5

6 **Q.43. What impact will construction and operation of the Project have on surface**
7 **draining and flow patterns?**

8 A.43. The Project will be designed in such a manner that runoff from the upper portions of
9 the watershed can flow unrestricted to the lower portion of the watershed. No impacts
10 to surface drainage or flow patterns are expected.
11

12 **Q.44. Do you anticipate any significant adverse effects on noise-sensitive land uses**
13 **resulting from the location, construction, and maintenance of the transmission**
14 **line?**

15 A.44. Sensitive noise receptors within the area include rural residents living in scattered
16 locations on farmsteads and those living in developed areas; however, these areas
17 were avoided to the extent practicable during the detailed routing process. Temporary
18 noise impacts would result from construction activities, most likely consisting of the
19 sounds of equipment back-up warning devices and diesel engine operation.
20 Temporary construction noise would be limited to no more than a few days at any
21 particular location along the line and would be mitigated by scheduling work to
22 daylight hours, particularly when near sensitive receptors.
23

24 **Q.45. Will the Project have any visual impacts to the adjacent areas?**

25 A.45. Visual resources within the route largely consist of broad expanses of cultivated fields,
26 rangeland, and grasslands. Because of the gently rolling terrain in the route, the
27 transmission structures will be visible in the general proximity. To minimize visual
28 impacts to these areas, the Project incorporated the structure design that minimizes
29 the visual footprint as compared to steel lattice type designs.
30

31 **Q.46. Do you anticipate any significant impacts on areas of extractive or storage**
32 **resources?**

33 A.46. No. Oil and gas development is ongoing in northwest North Dakota; in areas that the
34 Project and oil activities are in close proximity, Basin Electric and the oil companies

1 have coordinated to minimize impacts. There are no known oil well permits issued for
2 areas within the route. The area is also served by the local rural water district to meet
3 the local potable water needs. No known water well exploration is occurring within the
4 route.

5
6 **Q.47. Do you anticipate any significant impacts on wetlands?**

7 A.47. There are wetlands that are localized areas within the corridor. The route spans
8 approximately 10 acres of wetlands. As no structures are located within known
9 wetlands, and no wetland vegetation will be cleared, no impacts to wetlands are
10 anticipated from the transmission line structures. At the request of a landowner, Basin
11 Electric has agreed to pursue permitting for the improvement of an existing wetland
12 crossing to be used as an access road. Basin Electric would secure an appropriate
13 authorization from the U.S. Army Corps of Engineers before any wetland construction.
14

15 **Q.48. Do you anticipate any significant impacts on woodlands or wooded areas?**

16 A.48. There are approximately 5.2 acres of wooded areas including shelter belts within the
17 route. Therefore, the ability to maintain the appropriate clearance heights to satisfy
18 the requirements of the North American Electric Corporation is easily achievable. The
19 necessity to remove those woody species will be identified in the Tree and Shrub
20 Survey that will be performed on the final route right-of-way. A Tree and Shrub
21 Mitigation Plan will be developed for the Project and will be approved by the
22 Commission.
23

24 **Q.49. Will the Project effect radio and television reception, and other communication
25 or electronic control facilities?**

26 A.49. The Project is not anticipated to affect radio, television, communication, or other
27 electronic control facilities.
28

29 **Q.50. Will the Project affect human health and safety, animal health and safety, or
30 plant life?**

31 A.50. The Project is not anticipated to have an effect on human or animal health and safety
32 but will have a negligible effect on plant life where the structures are installed. Basin
33 Electric will replace trees and shrubs consistent with the Commission's Tree and
34 Shrub Mitigation Specifications.

1 Q.51. **Mr.Solie, will it be possible to route the Project as to not violate any city or**
2 **county zoning ordinances?**

3 A.51. Yes. The substation and approximately 26.5 miles of transmission line require
4 Conditional Use Permits from Mountrail County. The Conditional Use Permit
5 Application was submitted to Mountrail County on April 20, 2021. The Planning and
6 Zoning Board is expected to act on the application at its May 24th, 2021 meeting. The
7 Project would not pass through any cities and is therefore not subject to any city
8 zoning ordinances.

9

10 Q.52. **Are there any additional permits needed to begin construction of the Project?**

11 A.52. Yes. The Conditional Use Permit from Mountrail County is pending. Additionally,
12 Basin Electric will need authorization from the U.S. Army Corps of Engineers for the
13 wetland crossing mentioned earlier in my testimony. Upon receipt, all permits will be
14 filed with the Commission.

15

16 Q.53. **Are the proposed facilities compatible with the environmental preservation and**
17 **the efficient use of resources?**

18 A.53. Yes

19

20 Q.54. **Does this conclude your testimony?**

21 A.54. Yes