

March 2, 2022

Steve Kahl  
Executive Director  
North Dakota Public Service Commission  
600 East Boulevard; Department 408  
Bismarck, ND 58505-0480

RE: Basin Electric Power Cooperative  
Neset to Northshore 230-kV Transmission Line - Mountrail County  
Case No. PU-21-49

Dear Mr. Kahl:

In accordance with item 40 of the Certification Relating to Order Provisions in the above-referenced case, enclosed please find a notarized certification indicating Basin Electric Power Cooperative's (**Basin Electric**) route adjustments outside the designated corridor will not affect any known exclusion or avoidance areas as defined in North Dakota Administrative Code 69-06-08-02 (1) and (2). The route adjustments were at the request of the landowners; the owners of the parcels encompassing the reroutes do not oppose the route adjustments and have signed easements with Basin Electric.

As depicted on the attached figures, Basin Electric intends to make adjustments to the transmission line route outside of the permitted 125' wide corridor. Studies by biological and cultural resource consultants (attached) confirm there are no exclusion or avoidance areas in and along the new corridor segments. The Mountrail County Conditional Use Permit was issued after the easements were secured and accordingly authorize the route adjustments.

*Certificate of Corridor Compatibility Number 222 and Route Permit Number 232* were issued by the North Dakota Public Service Commission for the transmission line on June 23, 2021. Basin Electric will comply with all applicable conditions and protections in siting laws and rules and previously issued commission orders.

I will serve as the key contact person for the purposes of notice and communications during the adjustment application. If you have any questions or require additional information, please contact me at 701.557.5495.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Solie".

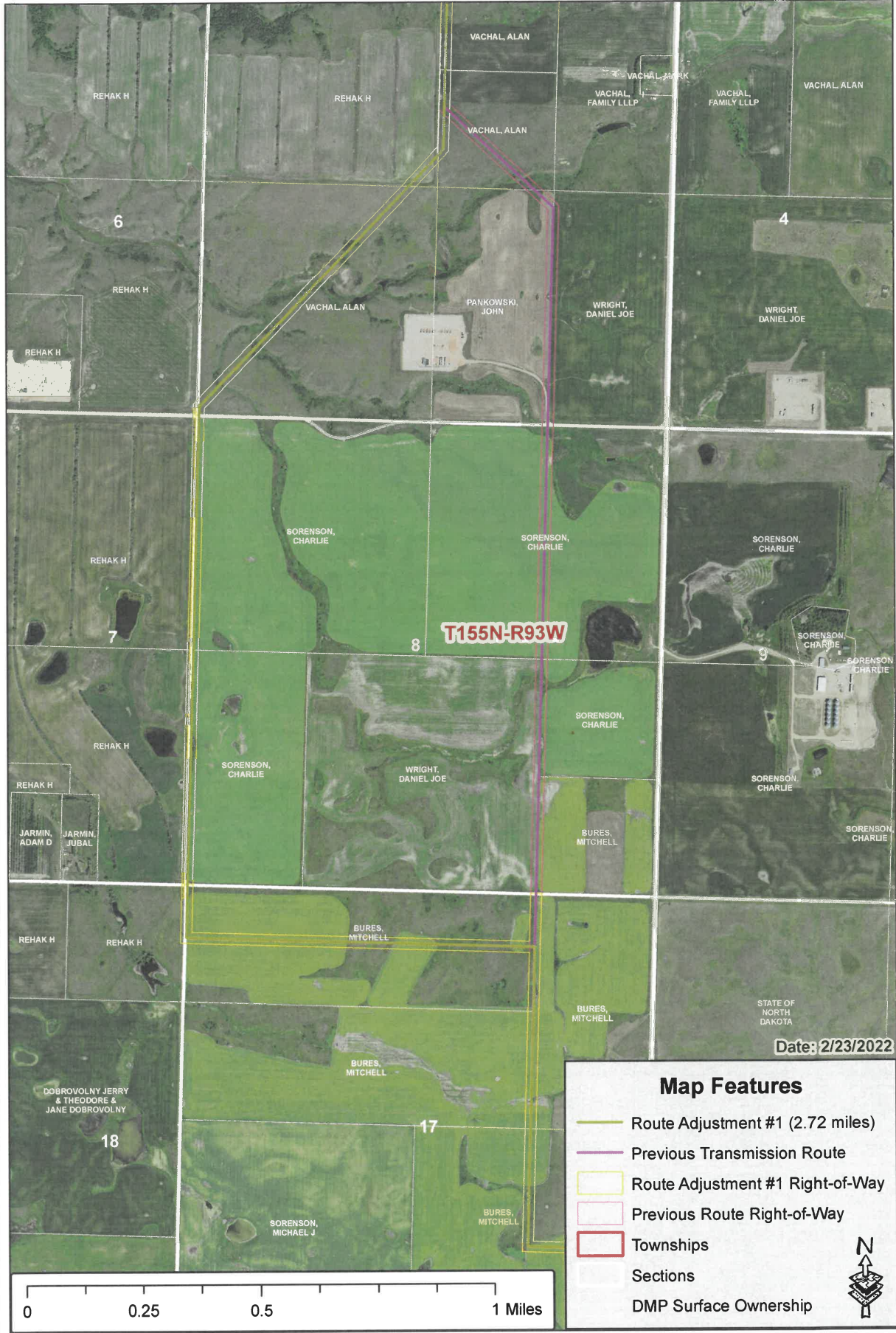
Kevin L. Solie, P.E.  
Senior Environmental Compliance Administrator

/kls  
Enclosures








70 PU-21-49 Filed 03/02/2022 Pages: 16  
Certification regarding exclusion and avoidance areas with supporting documentation  
Basin Electric Power Cooperative  
Kevin Solie, P.E.



# Neset to Northshore - Route Adjustment #1

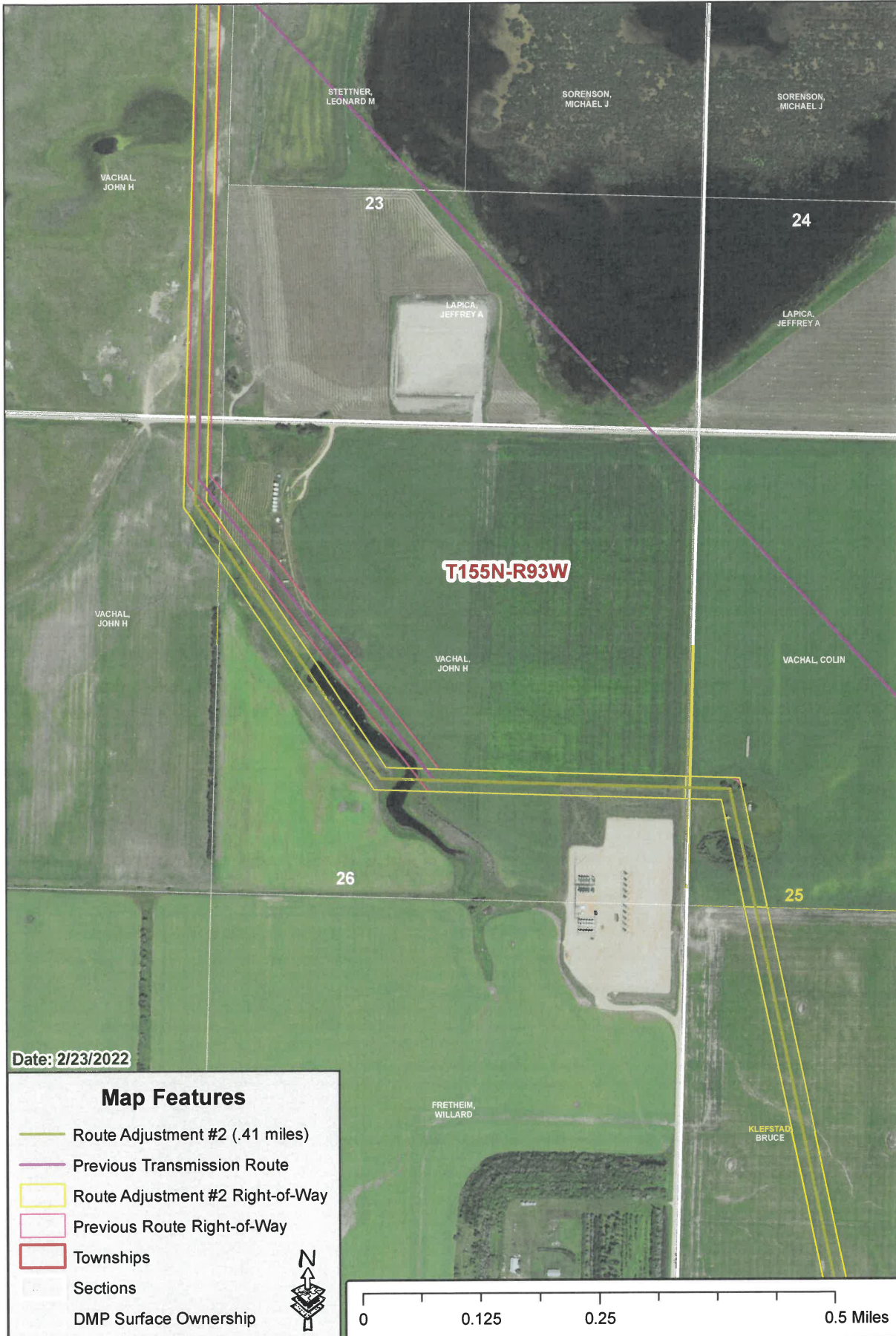


### Map Features

-  Route Adjustment #1 (2.72 miles)
-  Previous Transmission Route
-  Route Adjustment #1 Right-of-Way
-  Previous Route Right-of-Way
-  Townships
-  Sections
-  DMP Surface Ownership



# Neset to Northshore - Route Adjustment #2





**ENVIRONMENTAL & STATISTICAL CONSULTANTS**

4007 State Street, Suite 109, Bismarck, ND 58503  
Phone: 701-250-1756 ♦ www.west-inc.com ♦ Fax: 701-250-1761

March 1, 2022

Kevin Solie  
Basin Electric Power Cooperative  
1717 East Interstate Ave  
Bismarck, North Dakota 58503

**RE: Neset-North Shore Project – Sorenson and Vachal Property Reroutes**

Dear Mr. Solie,

Western EcoSystems Technology, Inc. conducted wetland and wildlife surveys in support of permitting efforts for the 230-kilovolt (kV) Neset to North Shore Transmission Line Project (Project) in Mountrail County, North Dakota. Original surveys and reporting were conducted in 2020 for the Project. In 2021, WEST completed a survey of a reroute for a portion of the Project in which the route extended outside of the original permitted corridor on and around a property owned by the Sorenson family (Sorenson Property Reroute, Figure 1). Surveys were conducted within an area that extended 250 feet either side of the proposed Project rerouted centerline (500 foot total width) and within 25 feet (50 foot total width) either side of proposed access roads leading to the centerline. During the field survey all wetlands, waterbodies, Dakota skipper potential reproductive habitat, and other significant wildlife features were mapped, consistent with those surveys completed in 2020. Additionally, there has been a reroute outside of the permitted corridor but still within our survey corridor on the Vachal property (Vachal Property Reroute, Figure 2) and as such included in our original survey report from 2020.

**Sorenson Property Reroute**

A total of 13 wetland or waterbody features were identified (Figure 1). The boundaries of these wetlands were mapped in the field and should be avoided during construction or further permitting evaluated if avoidance is not possible. A total of five potential Dakota skipper reproductive habitat areas were found and mapped in the field (Figure 1). These areas were identified based on the presence of warm season bunch grasses (e.g., little bluestem) as well as flowering nectar plants (e.g., prairie coneflower), consistent with input received from the USFWS. These areas of potential reproductive habitat should be avoided by construction. Other areas of grassland were consistent with foraging and/or dispersal habitat, similar to other areas within the Project. Overall, the area is consistent in nature to the other portion of the Project reported upon in the original 2020 reports in regards to general wildlife issues.



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Vachal Property Reroute

Basin Electric Power Cooperative shifted the planned Project area within the Vachal Property by shifting it to the east of the original centerline (Figure 2). This reroute area remains within the original survey area for wildlife resources from 2020. No new surveys were conducted for this reroute. The shift to the east does move away from wetland and waterbody feature as well as several trees and shrub locations, further minimizing potential impacts to wildlife resources.

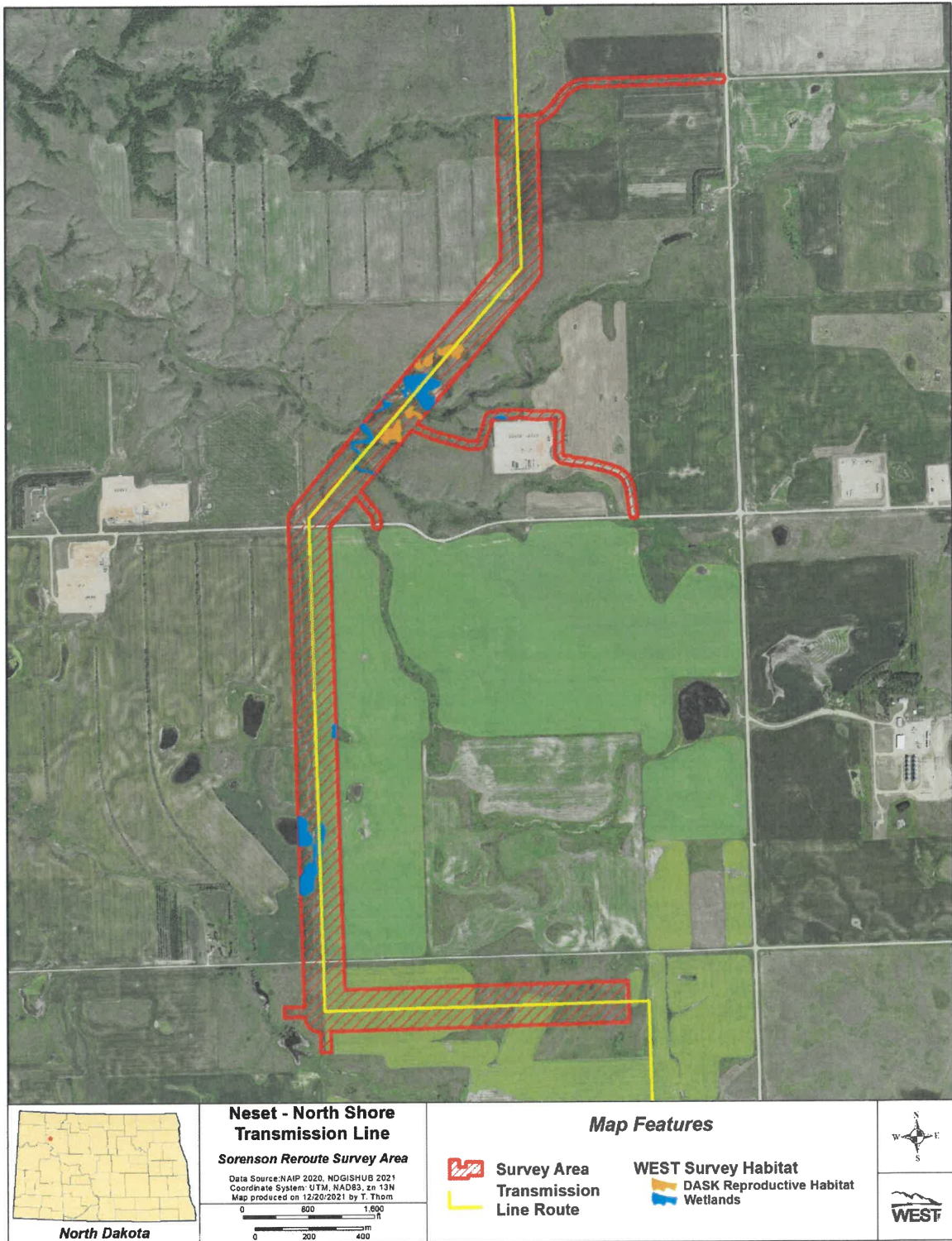
Summary

Based on the original 2020 surveys for Vachal and 2021 survey of the Sorenson reroute, there are no changes to the determinations regarding avoidance and exclusion areas made in the original permit reports submitted to the North Dakota Public Service Commission. None of the Project, including the reroutes, occur within designated critical habitat and therefore no impacts would occur within an exclusion area. While not designated critical habitat, construction along the Sorenson reroute would avoid Dakota skipper reproductive habitat. There are no threatened or endangered species related provisions within the avoidance area definition.

Please let me know if you need any further information regarding this effort.

Sincerely,

Clayton Derby  
CSO



**Figure 1. Map of August 2021 survey area completed for the Sorenson Property Reroute along the Neset to North Shore Transmission Line Project.**

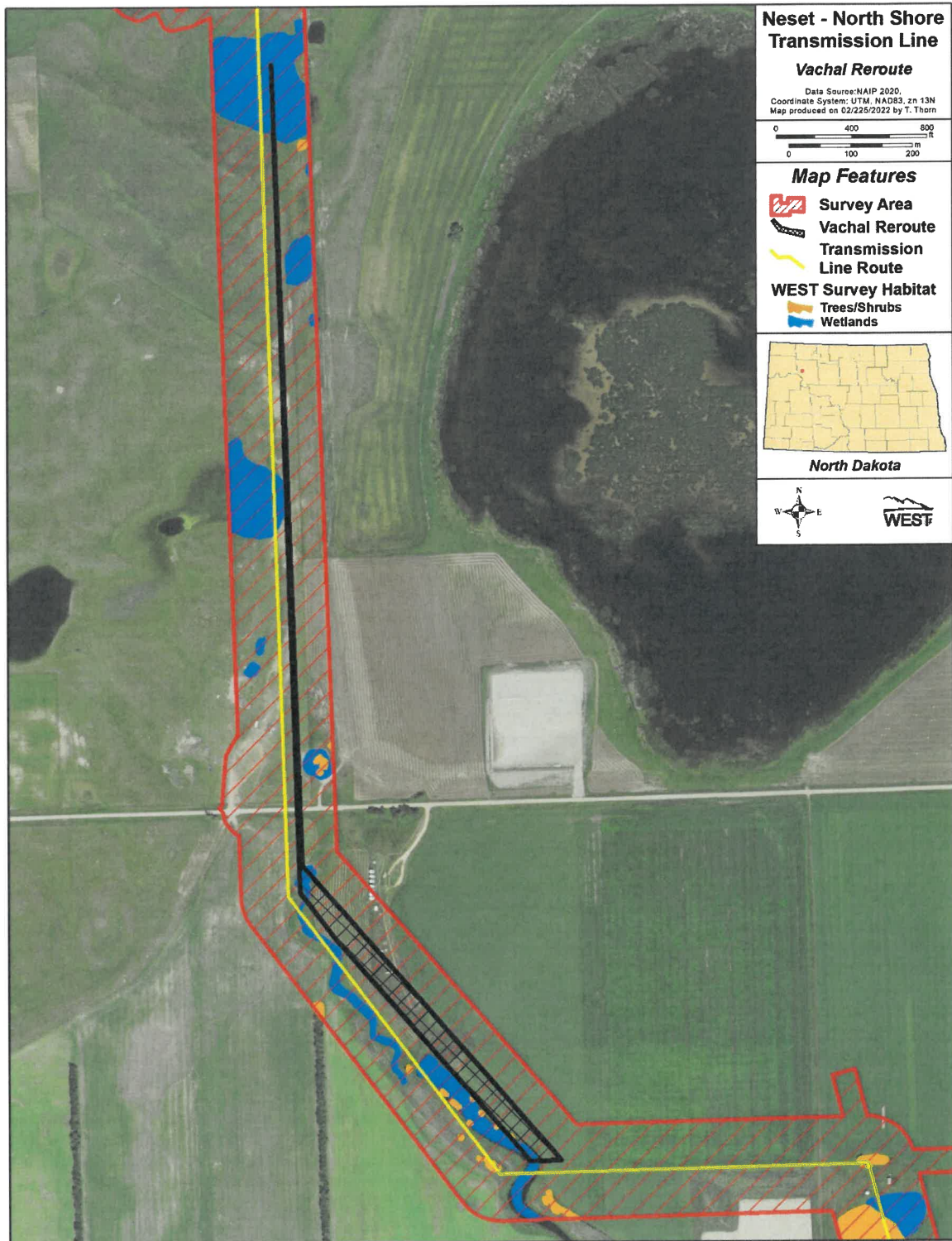


Figure 2. Map original 2020 survey area and the Vachal Property Reroute along the Neset to North Shore Transmission Line Project.

## INTRODUCTION

Basin Electric Power Cooperative (Basin Electric) proposes to construct the Neset to Northshore 230-kV Transmission Line (Project) in Mountrail County, North Dakota. The transmission line will run from approximately three miles east of the community of Tioga to approximately seven miles south of the community of Ross. It crosses two sections of school trust land near its south end; the remainder is located on private land and is not subject to review and compliance within Section 106 of the National Historic Preservation Act. However, the Project will require a Certificate of Corridor Compatibility and Transmission Facility Route Permit from the North Dakota Public Service Commission as per North Dakota Century Code 49-22—Energy Conversion and Transmission Facility Siting Act. The Public Service Commission requires that the State Historical Society of North Dakota (SHSND) review the proposed Project for potential impacts to Cultural Resources. Based on consultation with the SHSND, the objective of the Class III Cultural Resources Inventory was to locate cultural resources within the study area, to determine whether those resources qualify for inclusion in the National Register of Historic Places (NRHP), and to assess the effect(s) that the Project may have on those resources as specified in the North Dakota State Historic Preservation Office (SHPO) *Guidelines Manual for Cultural Resource Inventory Projects*. Basin Electric requested that Metcalf Archaeological Consultants, Inc. (Metcalf) conduct a Class III Cultural Resource Inventory for the proposed Project. Initial fieldwork was completed in 2020. Reroutes were needed to avoid two properties, the Vachal and Sorenson properties. These reroutes were surveyed in 2021.

## THE UNDERTAKING

Basin Electric proposes to install a 230-kV overhead electric transmission line in Mountrail County. The two reroutes add a total of 146 acres to the overall project.

## METHODS

Requirements for a Class III Cultural Resources Inventory include a Class I Literature Review, Class III field survey and a Class III report. Prior to mobilization, Metcalf field personnel reviewed the Class I Literature Review and utilized Project shapefiles to locate any previously recorded sites, site leads, or points of interest likely to be encountered within the Project area.

The site files search revealed that 143 cultural resources have been recorded in the search area. These resources consist of 41 precontact sites, 38 precontact site leads, eight precontact isolated finds, one multi-component site, four historic sites, ten historic site leads, five historic isolated finds, 14 architectural sites, and 22 cultural heritage sites. The majority of the precontact and cultural heritage sites are stone feature sites. The addendum corridor overlaps with one site, 32MN398.

The manuscript files search revealed that 51 cultural resource projects have been conducted in the search area. These projects consist of 16 related to oil/gas development, 11 related to road/highway construction, nine related to electric/utility projects, four related to water projects, four fiber optic projects, four telecommunications towers, and three material source projects.

Seven previous surveys overlap the corridor: MS#4822, 14475, 15209, 15673, 15685, 17876, and 18977

## **FIELD METHODS**

The inventory conformed to North Dakota's Guidelines for Cultural Resource Inventories (SHSND 2020). The inventory employed a pedestrian transect methodology with transects spaced no more than 15 meters apart. This methodology was used to inventory the entire undertaking's Area of Potential Effects (APE), defined as the survey corridor for this Project.

During the course of the inventory, Metcalf used handheld GPS units to map APE boundaries, took representative digital photographs, and maintained detailed field notes. When encountering a cultural resource, Metcalf photographed the resource(s), recorded measurements, took detailed notes, completed a North Dakota Cultural Resources Survey (NDCRS) form, created a field sketch map, and recorded information via a handheld GPS unit.

## **RESULTS**

Three previously recorded resources (two site leads and one site) were investigated, and four sites were newly recorded. No evidence of the site leads was found inside the project corridor. No evidence was found of the previously recorded site; it is presumed destroyed. The four newly recorded sites are all along access roads and can easily be avoided by construction. **Table 1** list the previously recorded and newly recorded sites as well as the avoidance strategies for each site.

A cultural resources report was submitted to the SHSND for review, and concurrence was received May 11, 2021 (Meens 2021a, **Attachment 1**). The cultural resources report covering the final reroutes was submitted to SHSND and concurrence was received on December 7, 2021 (Meens 2021b, **Attachment 2**).

**Table 1**                      **Recorded Sites and Avoidance Strategies**

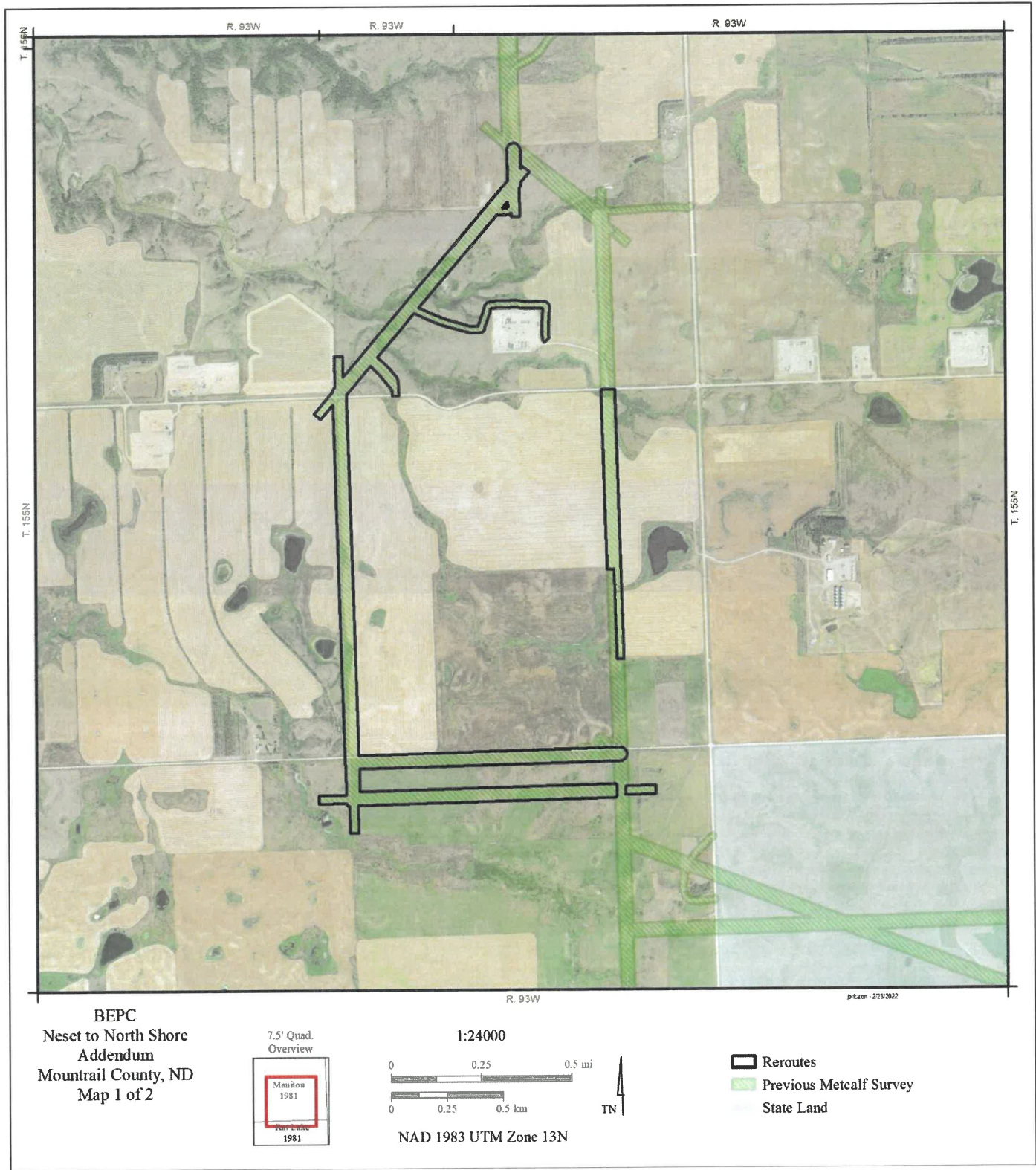
<b>Smith #</b>	<b>Site Category</b>	<b>Site Type</b>	<b>Eligibility for NRHP</b>	<b>Avoidance Strategies</b>
32MN398	Precontact	Stone Features	Not eligible, destroyed	No avoidance
32MN1634	Precontact	Stone Features	Unevaluated	Avoidance, fencing
32MN1638	Precontact	Stone Features	Unevaluated	Avoidance, fencing
32MN1639	Precontact	Stone Features	Unevaluated	Avoidance, fencing
32MN1650	Precontact	Stone Features	Unevaluated	Avoidance, fencing
32MNX235	Precontact	Cultural material scatter	Unevaluated	No avoidance
32MNx240	Precontact	Cultural material scatter	Unevaluated	No avoidance

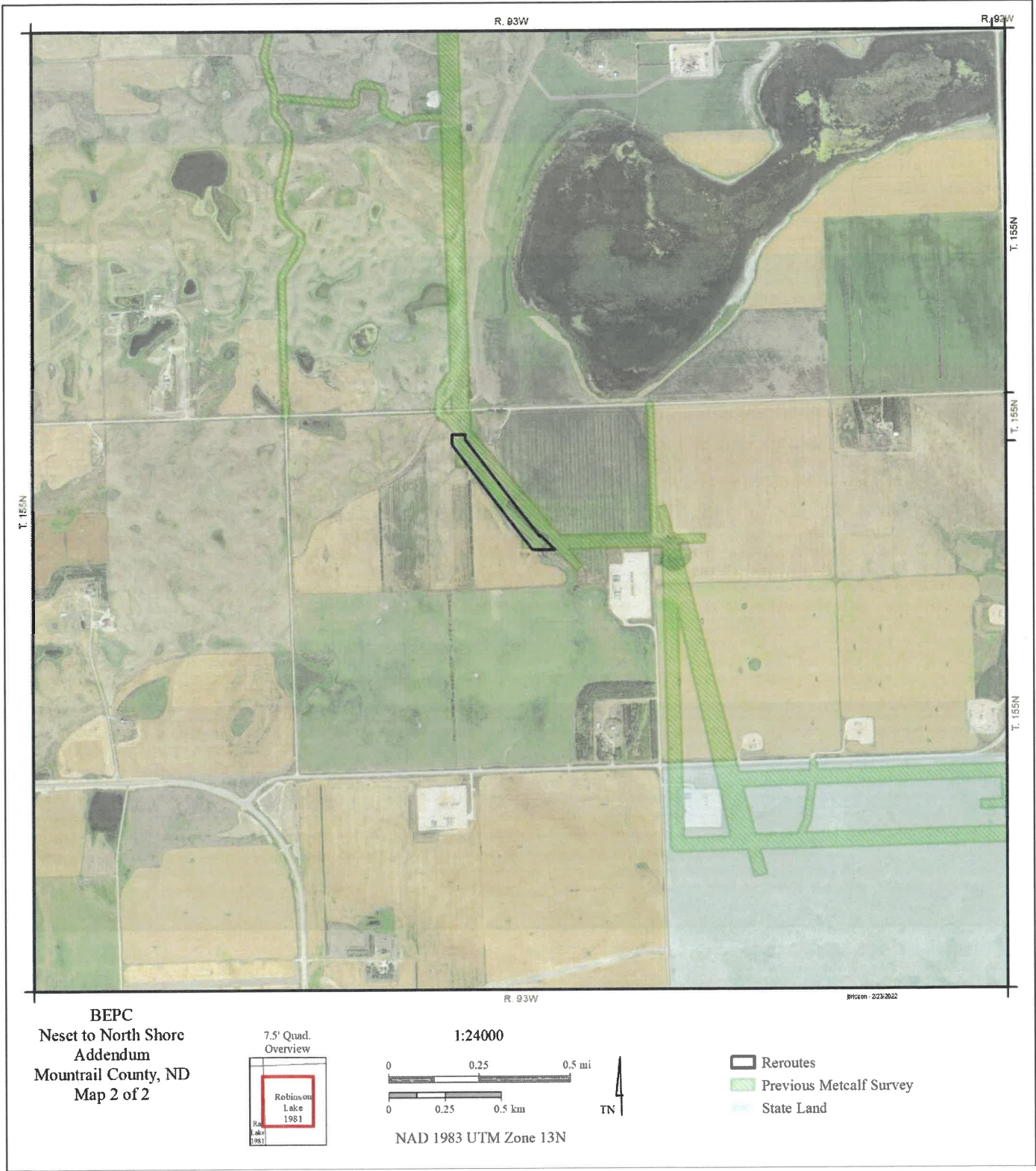
## REFERENCES

Meens, Daan

2021a *Basin Electric Power Cooperative: Addendum to a Class III Cultural Resources Inventory for the Neset to North Shore 230-kV Transmission Line in Mountrail County, North Dakota.* Metcalf Archaeological Consultants Inc., Bismarck, North Dakota.

2021b *Basin Electric Power Cooperative: Reroutes for the Neset to North Shore 230-kV Transmission Line in Mountrail County, North Dakota.* Metcalf Archaeological Consultants Inc., Bismarck, North Dakota.





**Map 2:** The location of the complete corridor depicted on aerial imagery.



May 11, 2021

Damita Engel  
Metcalf Archaeological Consultants  
PO Box 2154  
Bismarck, ND 58502

**ND SHPO Ref: 20-5998 Basin Electric Neset to North Shore, PU-21-49 in portions of Mountrail County, North Dakota**

Dear Ms. Engel,

We received ND SHPO Ref: 20-5998 "Basin Electric Power Cooperative: Addendum to a Class III Cultural Resource Inventory for the Neset to North Shore Transmission Line in Mountrail County, North Dakota" and find this Metcalf Archeological Consultants, Inc. report by Daan Meens acceptable. We concur with No Significant Sites in the area and will add it to our Manuscript Collection.

Thank you for the opportunity to review this report. Please be advised that acceptance of this report does not constitute concurrence with the determinations therein. If you have any questions, please contact either Andrew Clark, Chief Archeologist at (701) 328-3574 or [andrewclark@nd.gov](mailto:andrewclark@nd.gov) or Lorna Meidinger, Historic Preservation Specialist at (701) 328-2089 or [lbmeidinger@nd.gov](mailto:lbmeidinger@nd.gov).

Sincerely,

*for* William D. Peterson PhD  
State Historic Preservation Officer  
(North Dakota)

20-5998



December 7, 2021

Mr. Kevin Solie  
Basin Electric Power Cooperative  
1717 E Interstate Ave  
Bismarck, ND 58503

**ND SHPO Ref: 20-5998 "Basin Electric Power Cooperative: Reroutes for the Neset to North Shore 230-kV Transmission Line in Mountrail County, North Dakota" in portions of [T155N R93W Sections 5-8, 17, 18 & 26]**

Dear Mr. Solie,

We reviewed ND SHPO Ref: 20-5998 "Basin Electric Power Cooperative: Reroutes for the Neset to North Shore 230-kV Transmission Line in Mountrail County, North Dakota" in portions of [T155N R93W Sections 5-8, 17, 18 & 26], and find the report by Daan Meens acceptable. Provided that avoidance of all stone feature sites: 32MN1634, 32MN1638, 32MN1639, and 32MN1650 is followed as recommended (50ft buffer and fencing) we would concur there has been a good faith effort to avoid impacts to significant sites.

Thank you for the opportunity to review this project under North Dakota cultural resources consultation. This letter does not serve as federal agency consultation or SHPO consultation for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (36 CFR Part 800), or the National Environmental Policy Act, as amended, (42 U.S.C. §§ 4321- 4347).

If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577 or [lsteckler@nd.gov](mailto:lsteckler@nd.gov)

Sincerely,

for William D. Peterson, PhD  
Director, State Historical Society of North Dakota

20-5998