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June 16, 2023

**VIA E-MAIL AND FEDERAL EXPRESS**

Mr. Steven Kahl  
Executive Secretary  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

Re: Great River Energy  
230 kV Transmission Line – Grand Forks County  
Siting Exclusion Certification  
Case No. PU-23-\_\_\_\_\_

Dear Mr. Kahl:

Enclosed for filing are two copies of Great River Energy's Certification Pursuant to North Dakota Century Code § 49-22-03(3)(a)(4), along with Exhibits A and B. Electronic copies of the enclosed documents were filed with the Commission today via e-mail.

Please let me know if you have any questions.

Sincerely,

Mollie M. Smith  
**Direct Dial:** 612.492.7270  
**Email:** msmith@fredlaw.com

MMS:rg:71072567

Encls.

cc: Michael Swenson (via e-mail, w/encl.)  
Mark Strohfus (via e-mail, w/encl.)

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Great River Energy**  
**230 kV Transmission Line – Grand Forks County**  
**Siting Exclusion Certification**

Case No. PU-23-\_\_\_\_

**CERTIFICATION PURSUANT TO**  
**N.D.C.C. § 49-22-03(3)(a)(4)**

STATE OF MINNESOTA    )  
                                          ) ss.  
COUNTY OF HENNEPIN    )

Michael Swenson, being first duly sworn upon oath, states and alleges as follows:

1. I am a Transmission Permitting Specialist for Great River Energy, and am a duly authorized agent with the authority to act on behalf of and bind Great River Energy.

2. Great River Energy owns and operates a 230-kilovolt (“kV”) transmission line that extends between Minnkota Power Cooperative, Inc.’s Prairie Substation near Grand Forks, North Dakota and Great River Energy’s Ramsey Substation near Devil’s Lake, North Dakota known as the GD Line.

3. The Midcontinent Independent System Operator (“MISO”) has requested that Great River Energy rebuild a portion of the GD Line and construct a breaker station to facilitate interconnection of a wind project to the grid (“Project”). The Project will be located in Grand Forks County, North Dakota.

4. The Project will consist of replacing structures 10 through 88, spanning approximately 10 miles; replacing conductors and shield/communication wires between the Prairie Substation and structure 252 (in the NE/4 NE/4 of Section 33, Township 152 North, Range 56 West in Niagara Township), spanning approximately 32 miles; and constructing a breaker station adjacent to structure 252.

5. Replacement of structures 89-252, which Great River Energy has already completed, was addressed by Great River Energy in prior filings, as follows:

- a. Structures 89-145: June 16, 2015 Certification filing (Case No. PU-15-403);
- b. Structures 146-226: February 1, 2013 Certification filing (Case No. PU-12-64); and
- c. Structures 227-252: August 11, 2014 Certification filing (Case No. PU-14-687).

6. The GD Line was constructed in the mid-1960s, pre-dating the enactment of N.D.C.C. Ch. 49-22 (the "Siting Act"). Since the GD Line was originally constructed prior to April 9, 1975, for purposes of N.D.C.C. § 49-22-03(3)(a)(4), a corridor width of 350 feet on either side of the centerline applies pursuant to N.D.C.C. § 49-22-03(3)(a)(1)(c) (the "Corridor").

7. The existing GD Line consists of wooden H-frame structures within a 150-foot easement. Great River Energy proposes to rebuild the line within the same 150-foot easement with predominantly wooden H-frame structures placed within approximately 15 feet of the existing structure locations. Structure 88 will be replaced, and then new conductor and shield/communication wires will be strung between structure 88 and structure 252 within the existing easement. Upon completion of restringing, installation of structures 10 through 87 will be completed. The proposed breaker station will be constructed adjacent to and within 350 feet of the centerline of the GD Line.

8. Attached as **Exhibit A** is a figure showing the GD Line easement area, centerline, current structure locations, proposed locations of structures 10-88, the breaker station site, and the Corridor.

9. The Project's construction activities will be conducted wholly within the Corridor, and Great River Energy holds all necessary easement rights within the Corridor.

10. In accordance with N.D.C.C. § 49-22-03(3)(a)(4), Great River Energy certifies as follows:

- a. The Project involves upgrading structures and conductor and constructing a breaker station to facilitate interconnection to the GD Line; thus, the proposed construction activities are to improve an existing electric transmission facility.
- b. Great River Energy conducted an environmental analysis of the relevant portion of the Corridor relative to the Exclusion Areas and Avoidance Areas set forth in N.D.A.C. §§ 69-06-08-02(1)-(2). A summary of Great River Energy's environmental analysis is attached as **Exhibit B**.
- c. As discussed in more detail in **Exhibit B**, no Exclusion or Avoidance Areas will be impacted by the Project. With respect to Exclusion and Avoidance Areas, Great River Energy notes the following:
  - i. The Corridor crosses the Oakville Prairie Wildlife Management Area ("WMA"), owned and administered by the North Dakota Game and Fish Department ("NDGF"). In consultation with the NDGF, Great River Energy confirmed that Great River Energy's easement rights within the Corridor pre-date the establishment of the WMA, and that no additional approvals are required from NDGF for construction of the Project. Since Great River Energy's easement rights within the Corridor pre-date the establishment of the WMA, with respect to the WMA and the Project, N.D.A.C. § 69-06-08-02(2)(b) does not apply. Great River

Energy will continue to coordinate with the NGDF and the University of North Dakota (which operates the Oakville Prairie Field Station within the WMA) throughout the Project, including on measures to minimize potential construction impacts and seed mix selection/sourcing for reseeding, as needed.


ii. Residences and one business were built around the GD Line after it was constructed; as a result, inhabited residences and one business are located within 500 feet of the Project. However, structures will be installed along the same centerline, so the Project will not change the existing route alignment. Additionally, N.D.C.C. § 49-22-05.1(3) provides that electric transmission lines in existence before July 1, 1983 are excepted from the 500-foot inhabited rural residence avoidance area. Therefore, the inhabited rural residence avoidance area in N.D.C.C. § 49-22-05.1(3) and N.D.A.C. § 69-06-08-02(2)(e) does not apply.

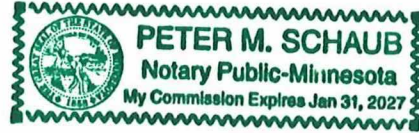
d. Great River Energy will comply with all applicable conditions and protections in siting laws and rules. The GD Line was constructed prior to enactment of the Siting Act; therefore, no prior Commission orders exist that are applicable to the Project.

FURTHER AFFIANT SAYETH NOT.

  
Michael Swenson

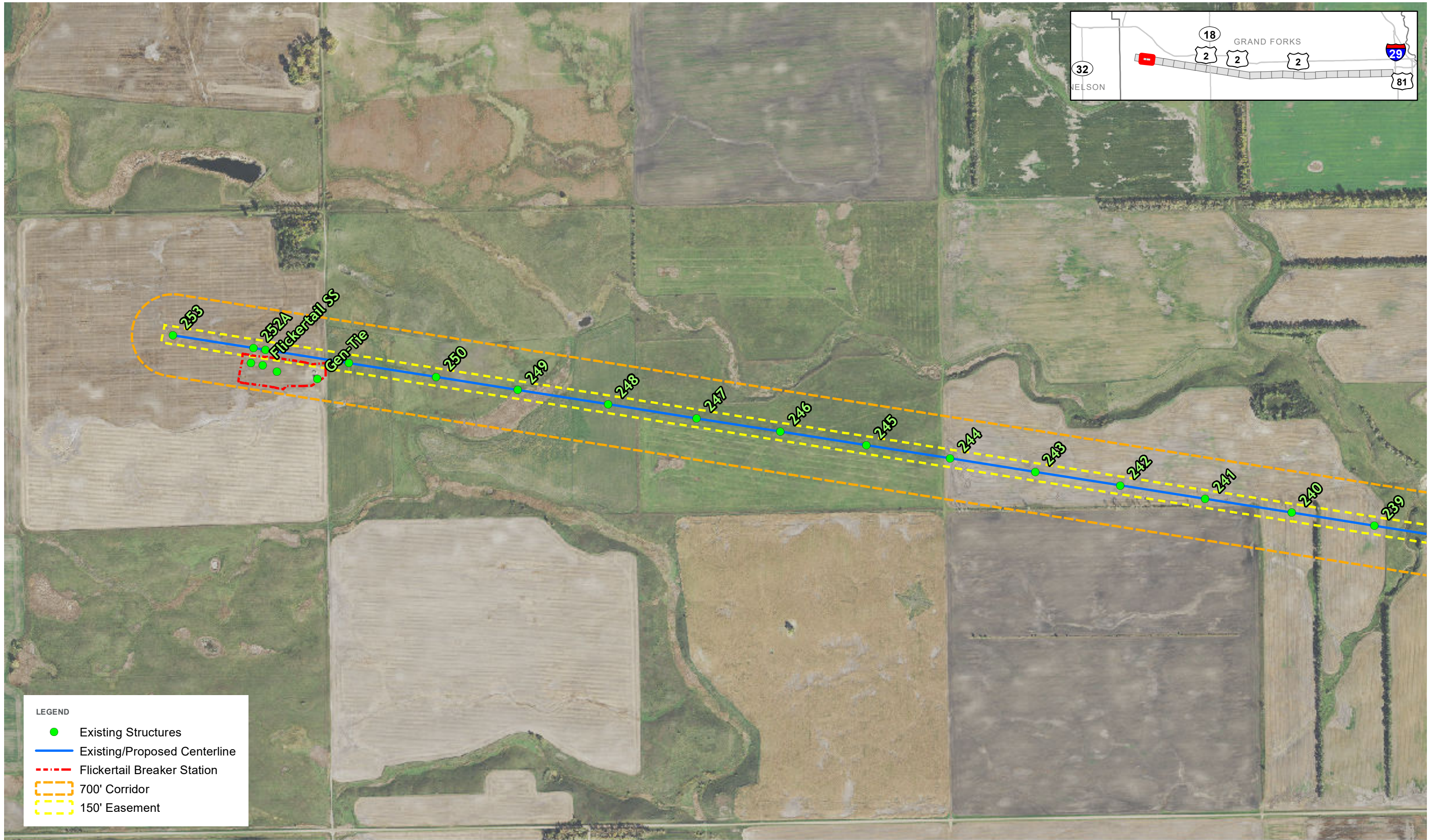
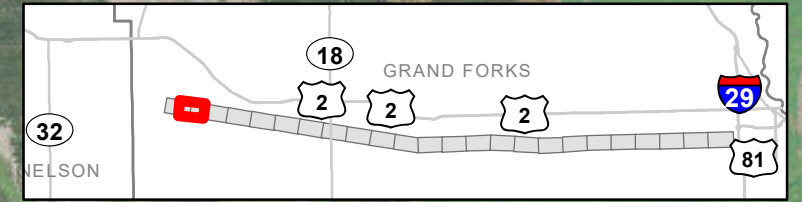
Subscribed and sworn to before me  
this 7 day of JUNE, 2023.

  
Notary Public



77254866 v5

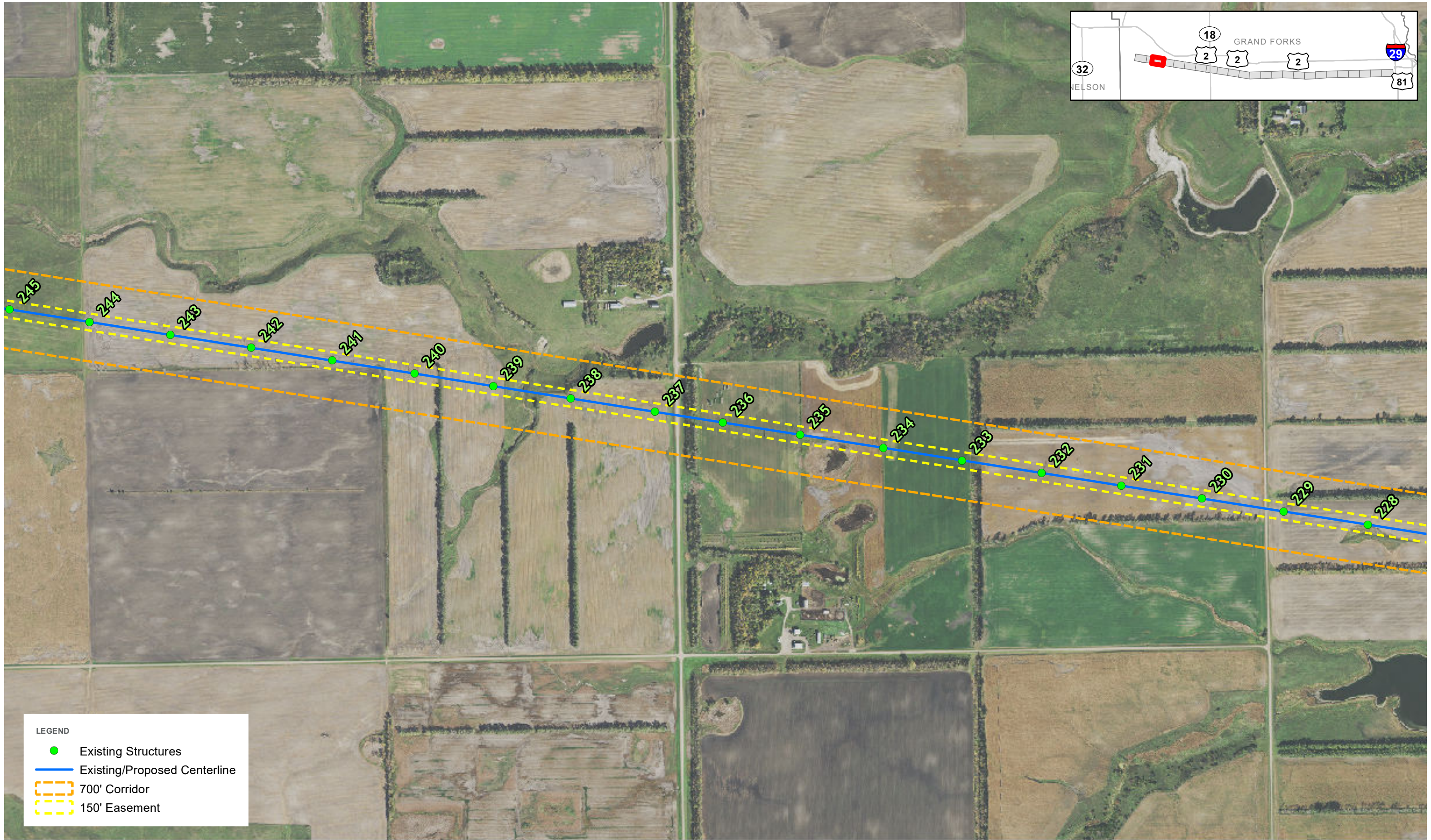
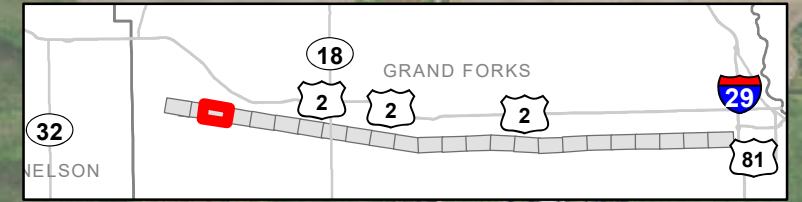
# **Exhibit A**



**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- Flickertail Breaker Station
- 700' Corridor
- 150' Easement

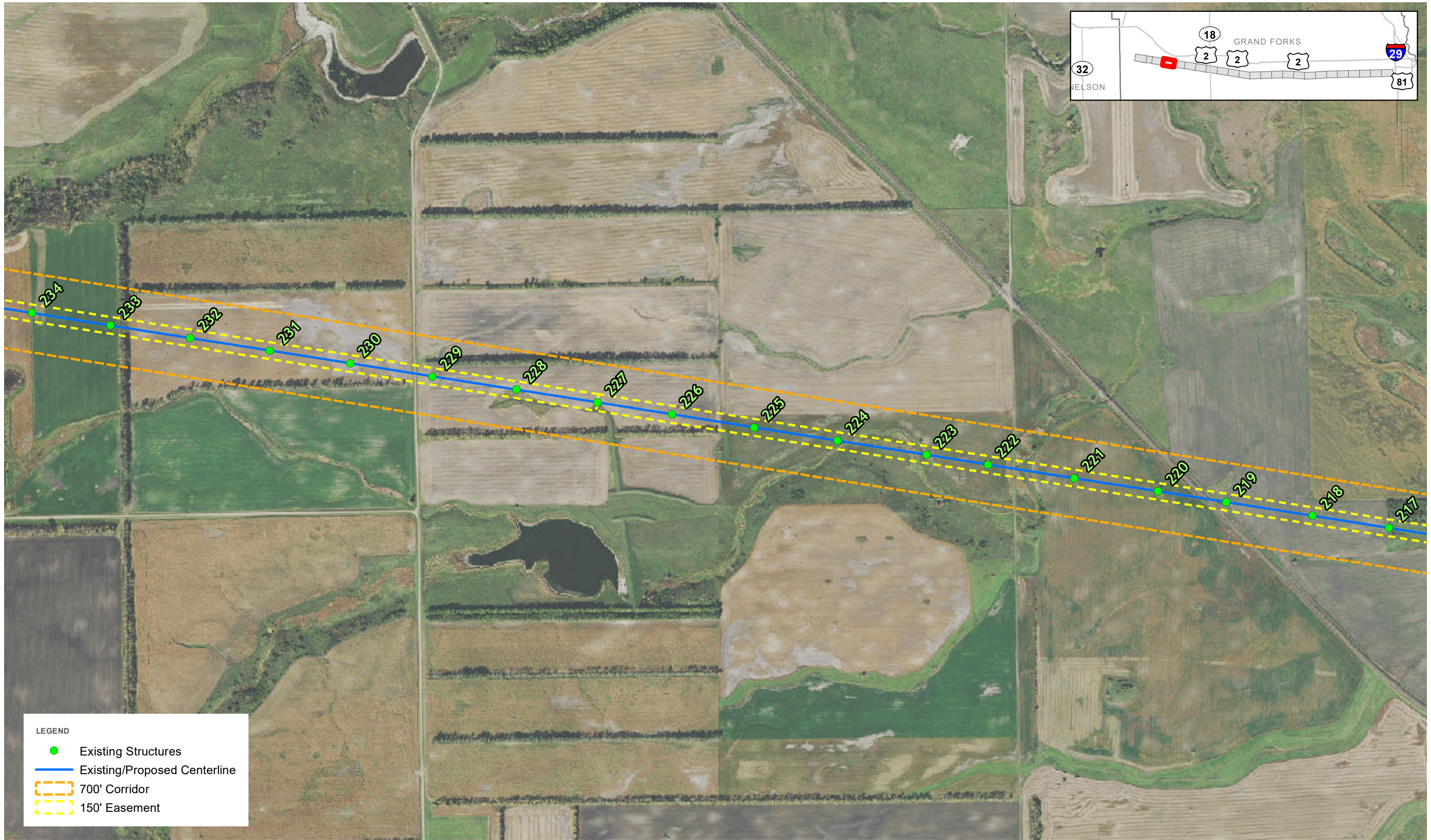
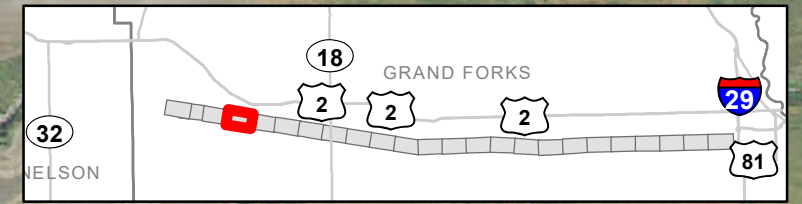




**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- - - 700' Corridor
- - - 150' Easement





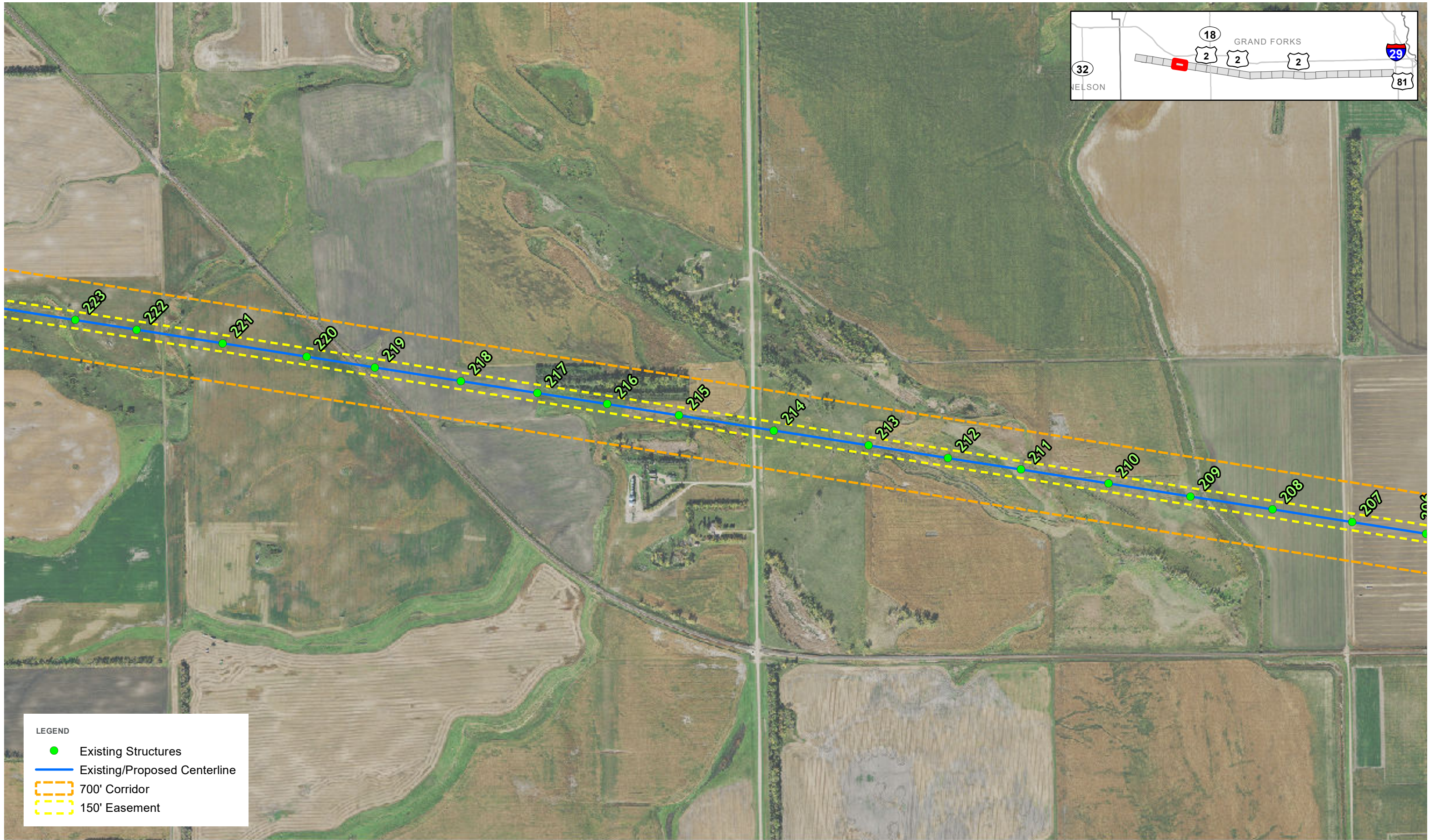
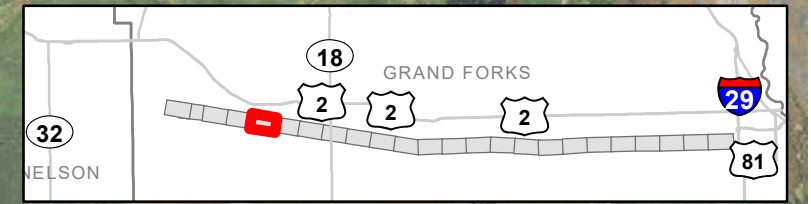
**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement



**GD RECONSTRUCTION PROJECT  
PROJECT DETAIL MAPS  
SHEET 3**

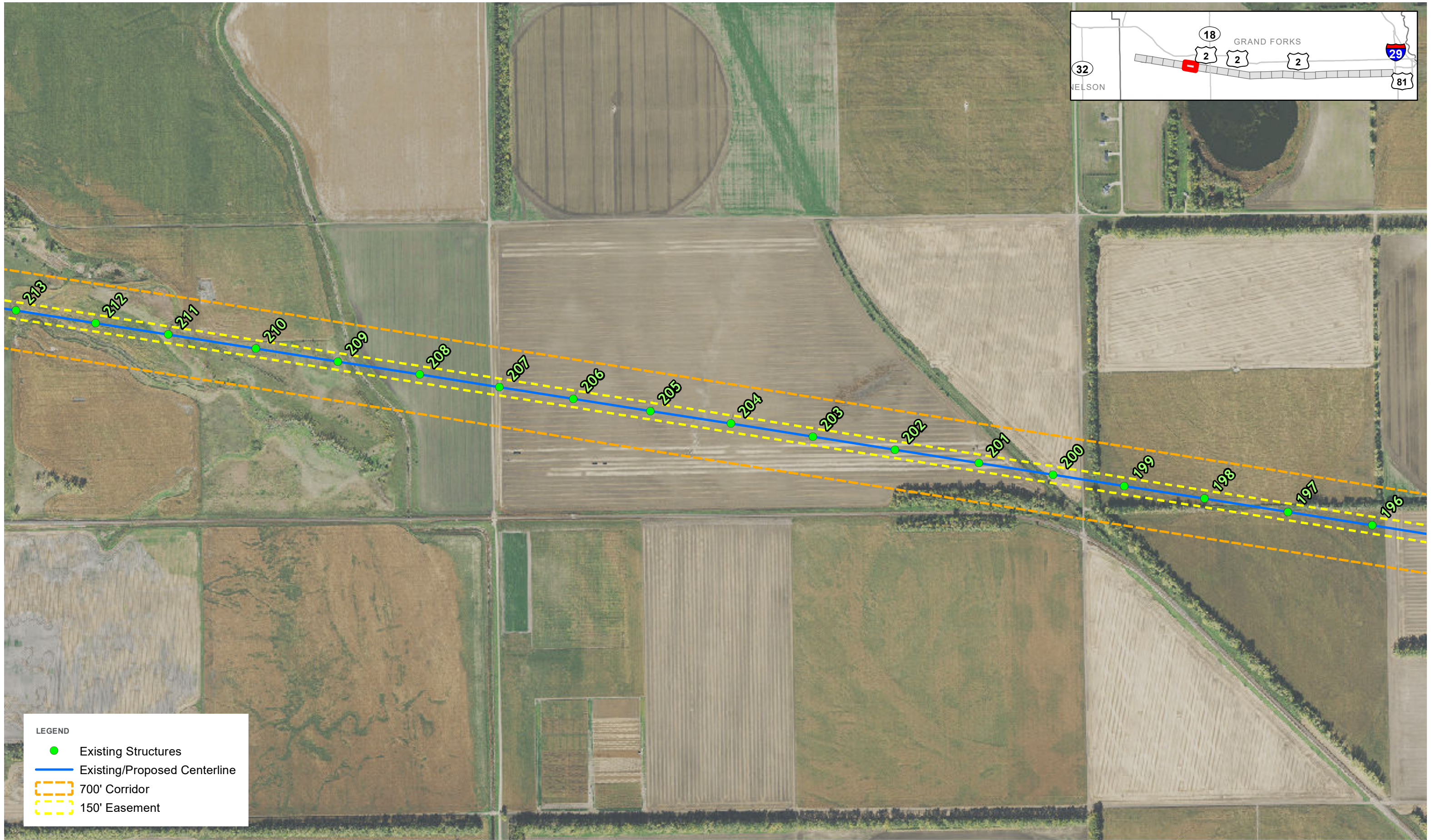
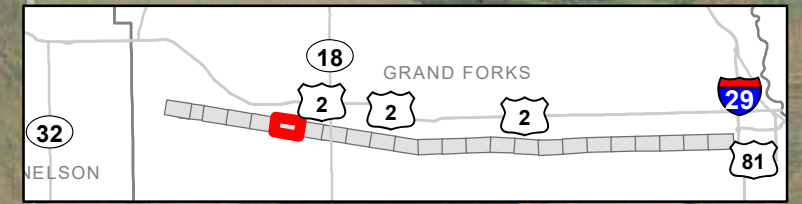
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**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- - - 700' Corridor
- - - 150' Easement



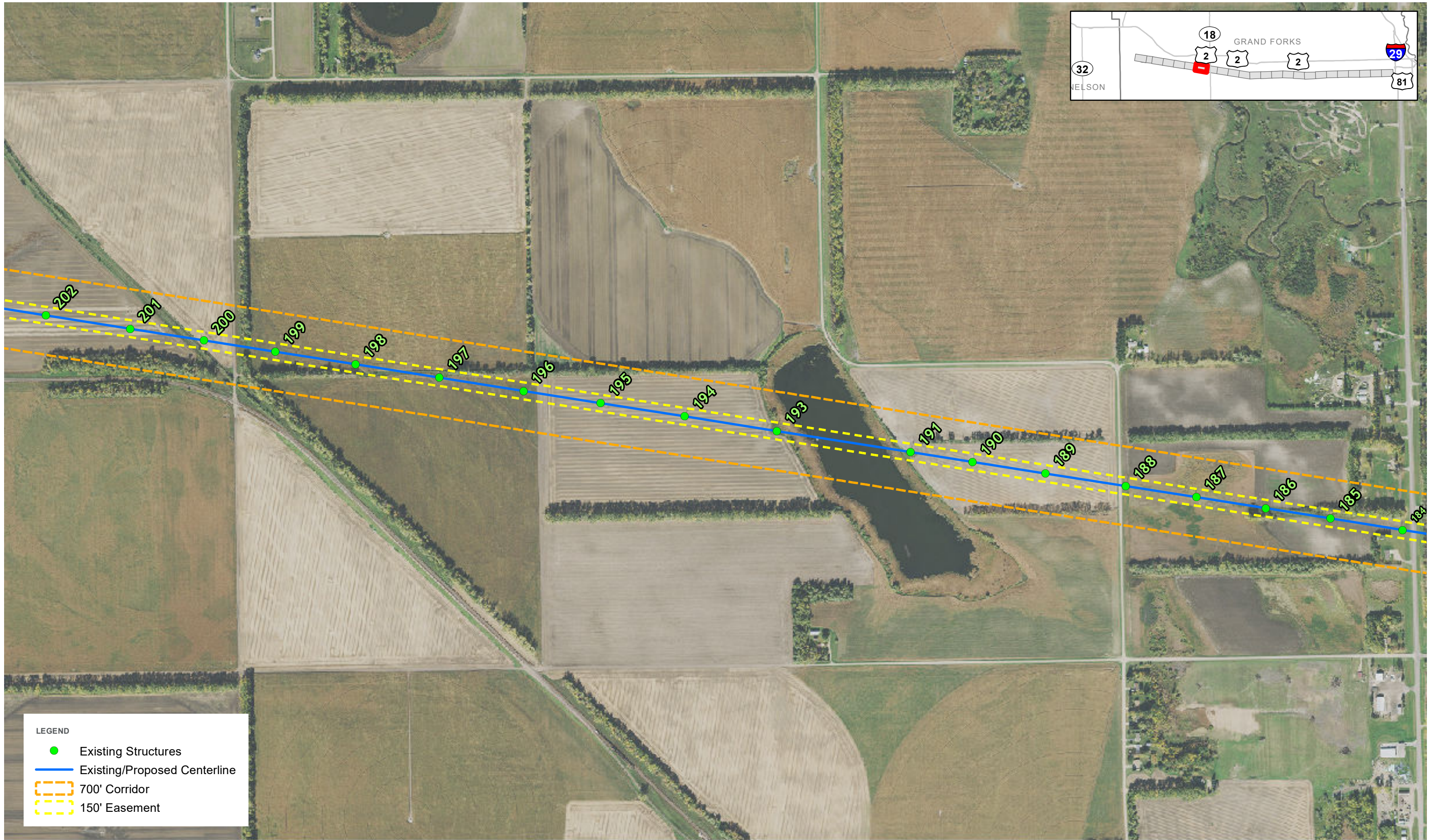
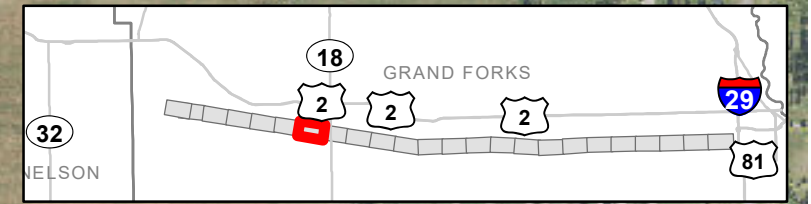


**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement



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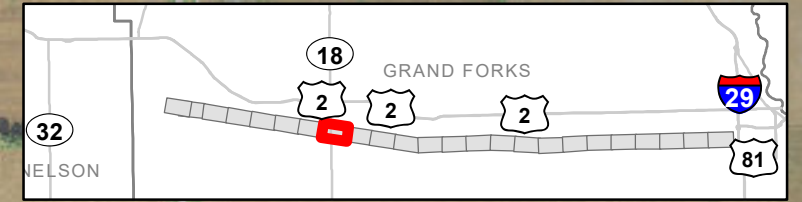


**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement



**GD RECONSTRUCTION PROJECT  
PROJECT DETAIL MAPS  
SHEET 6**

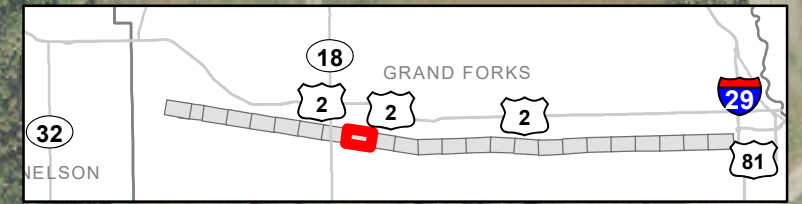


**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement
- Substations



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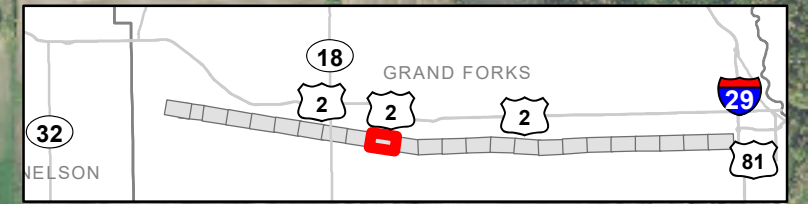


**LEGEND**

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- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement
- Substations



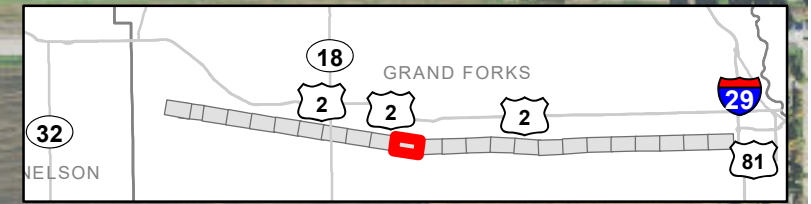
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PROJECT DETAIL MAPS  
SHEET 8**



**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- - - 700' Corridor
- - - 150' Easement





**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- - - 700' Corridor
- - - 150' Easement



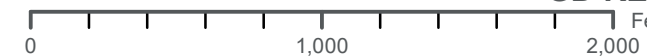
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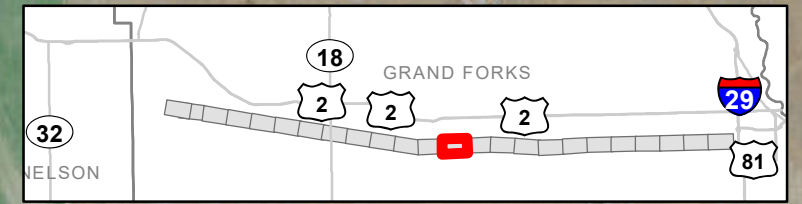
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**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement



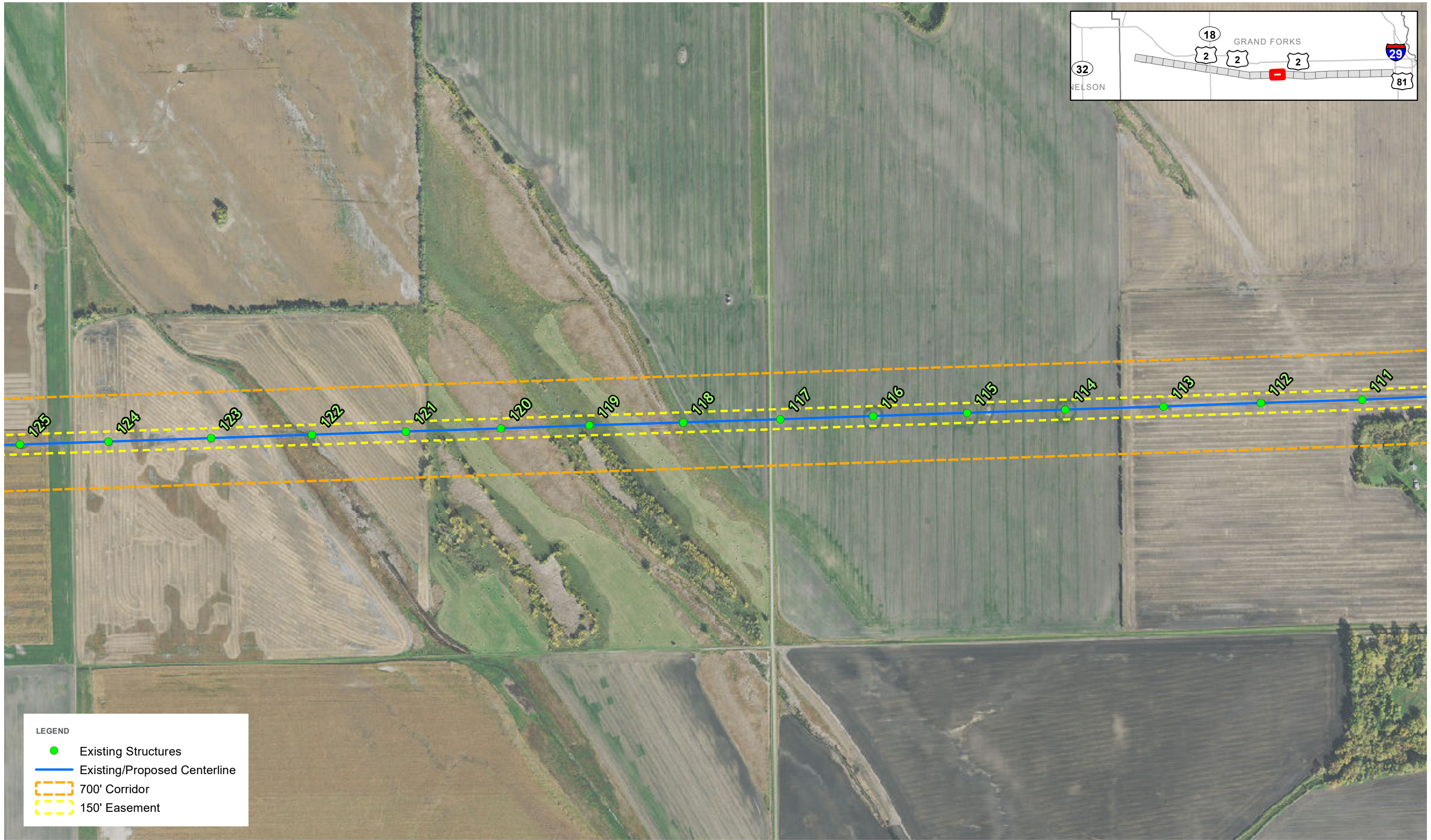
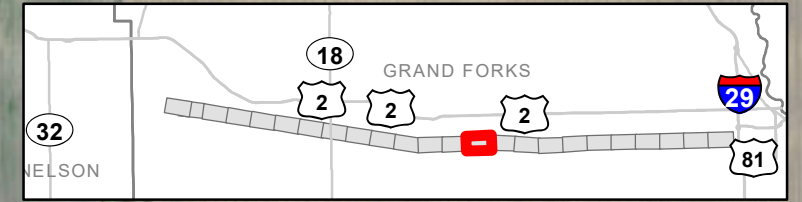


**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement



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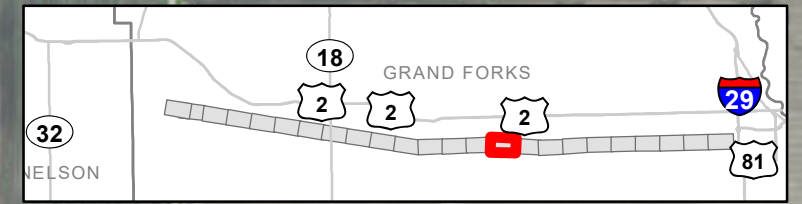


**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement



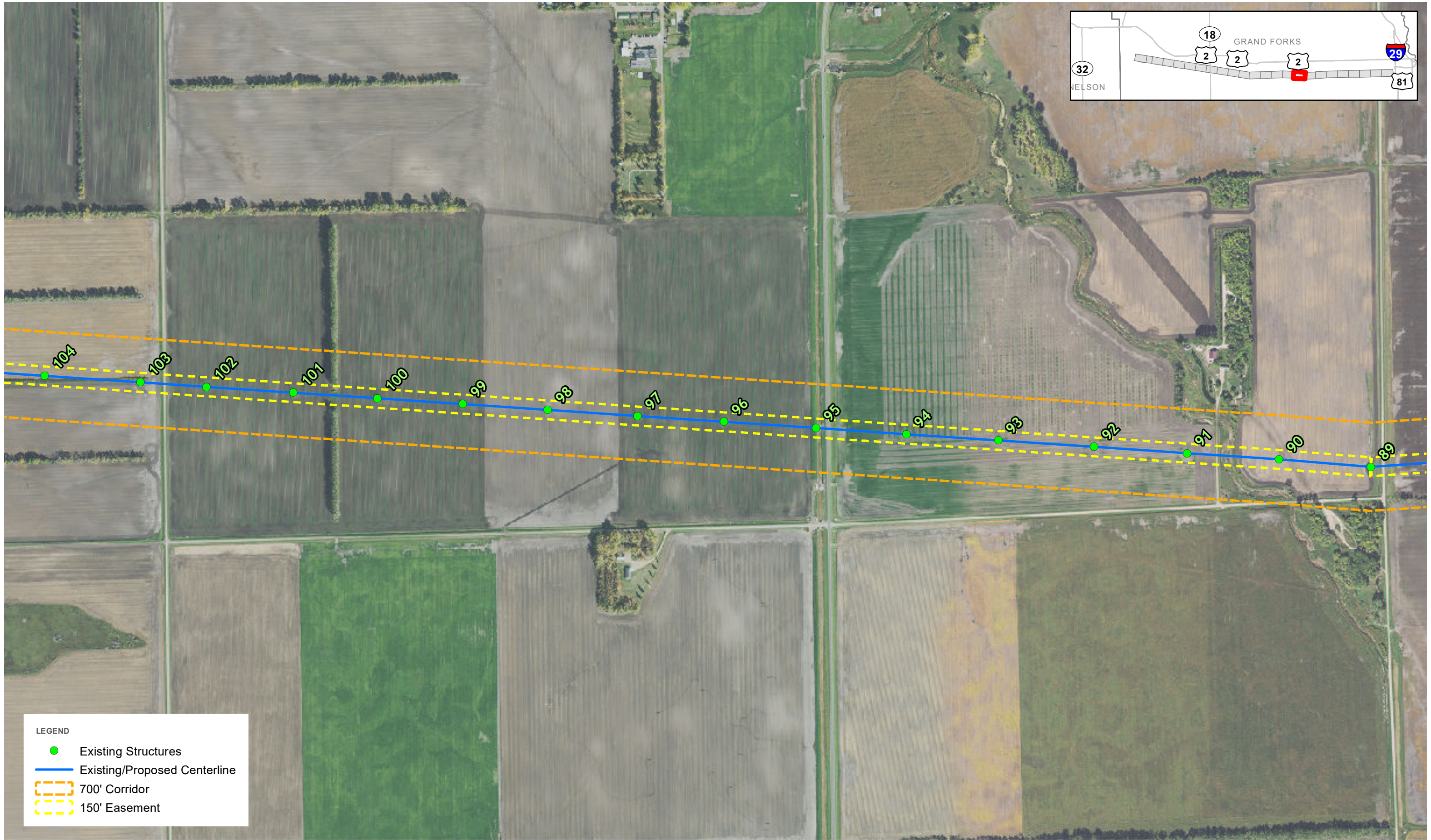
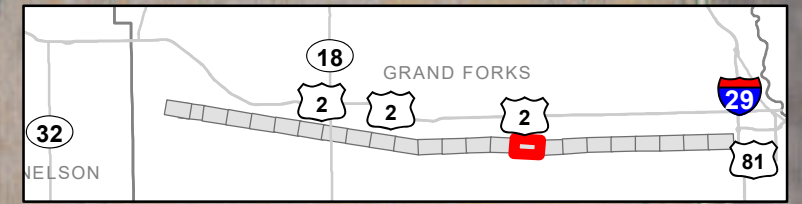
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**LEGEND**

- Existing Structures
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement





**LEGEND**

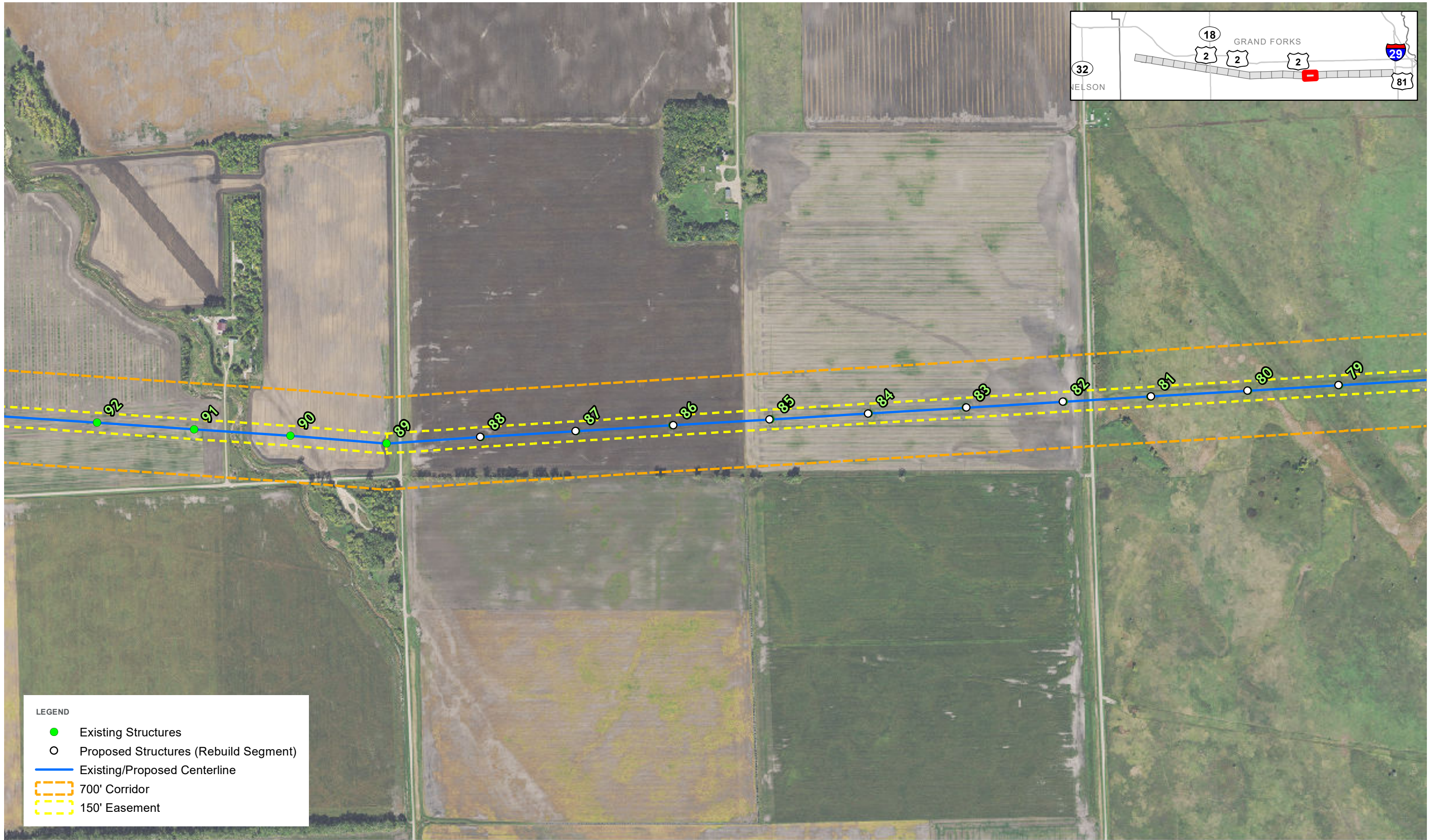
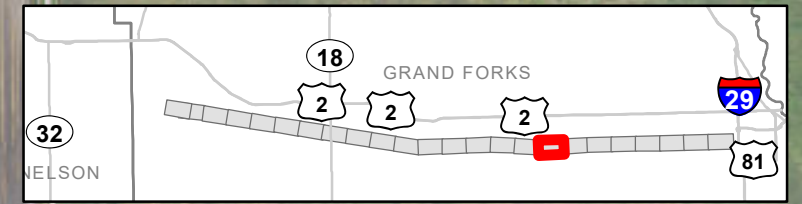
- Existing Structures
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement



**GD RECONSTRUCTION PROJECT**  
**PROJECT DETAIL MAPS**  
**SHEET 15**

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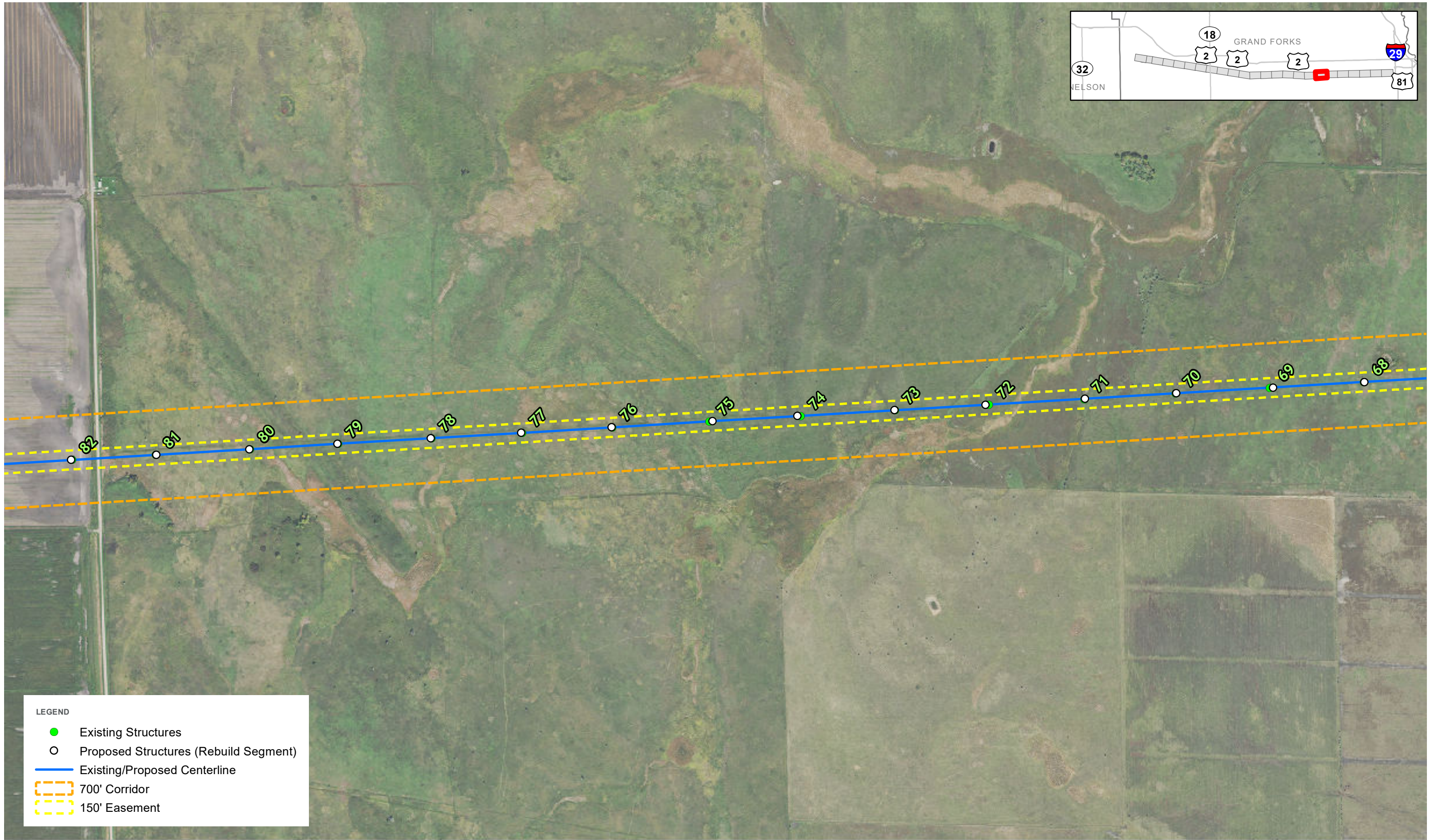
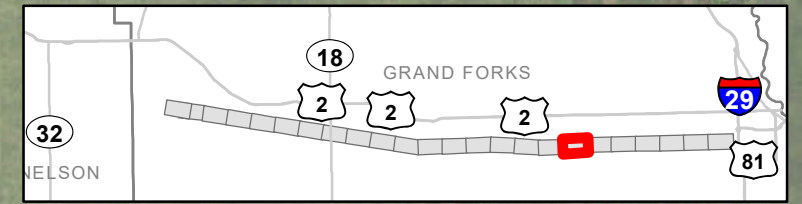
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**LEGEND**

- Existing Structures
- Proposed Structures (Rebuild Segment)
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement





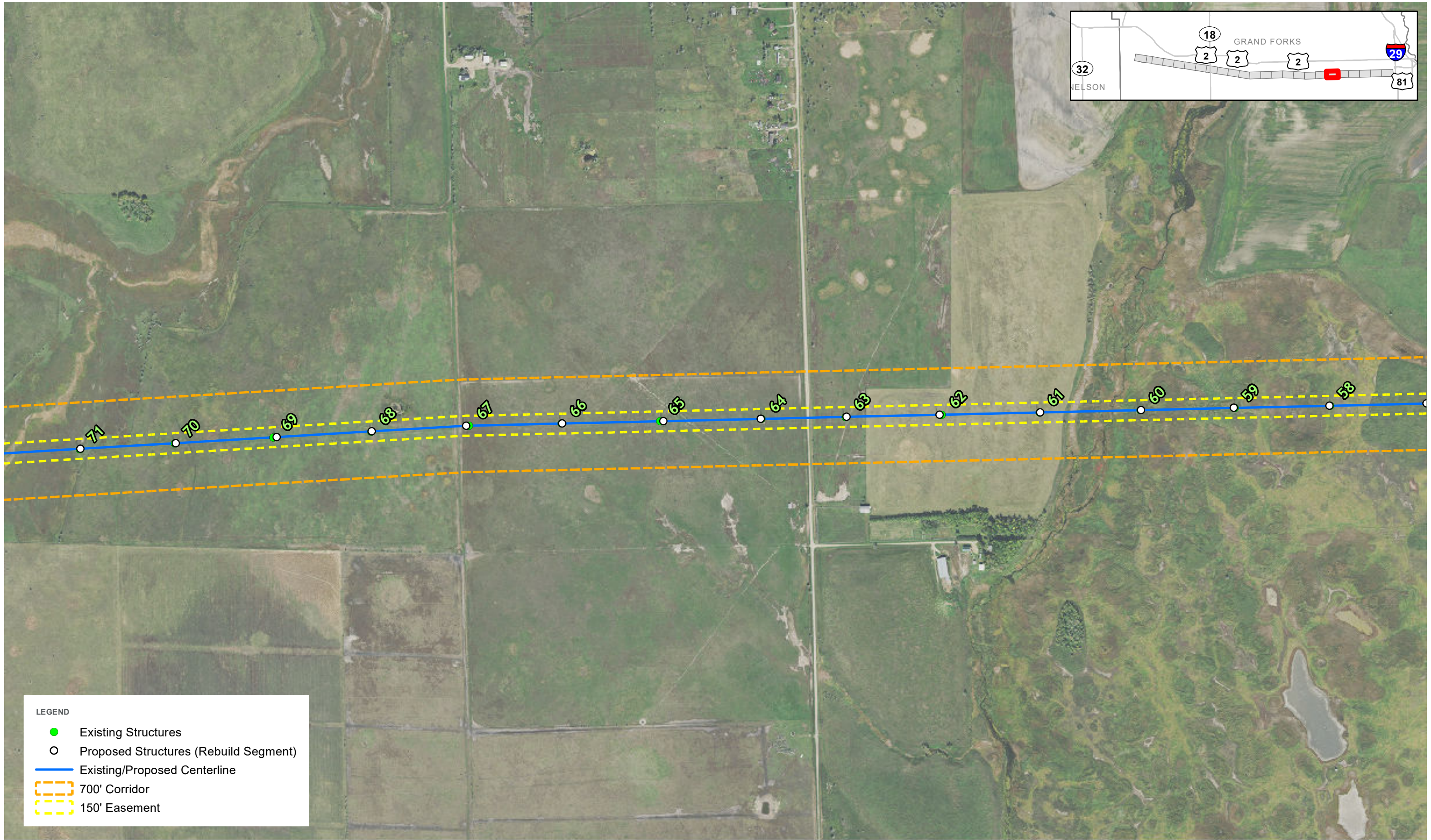
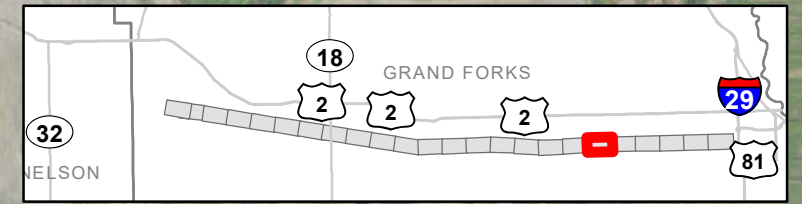
**LEGEND**

- Existing Structures
- Proposed Structures (Rebuild Segment)
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement



**GD RECONSTRUCTION PROJECT**  
**PROJECT DETAIL MAPS**  
**SHEET 17**

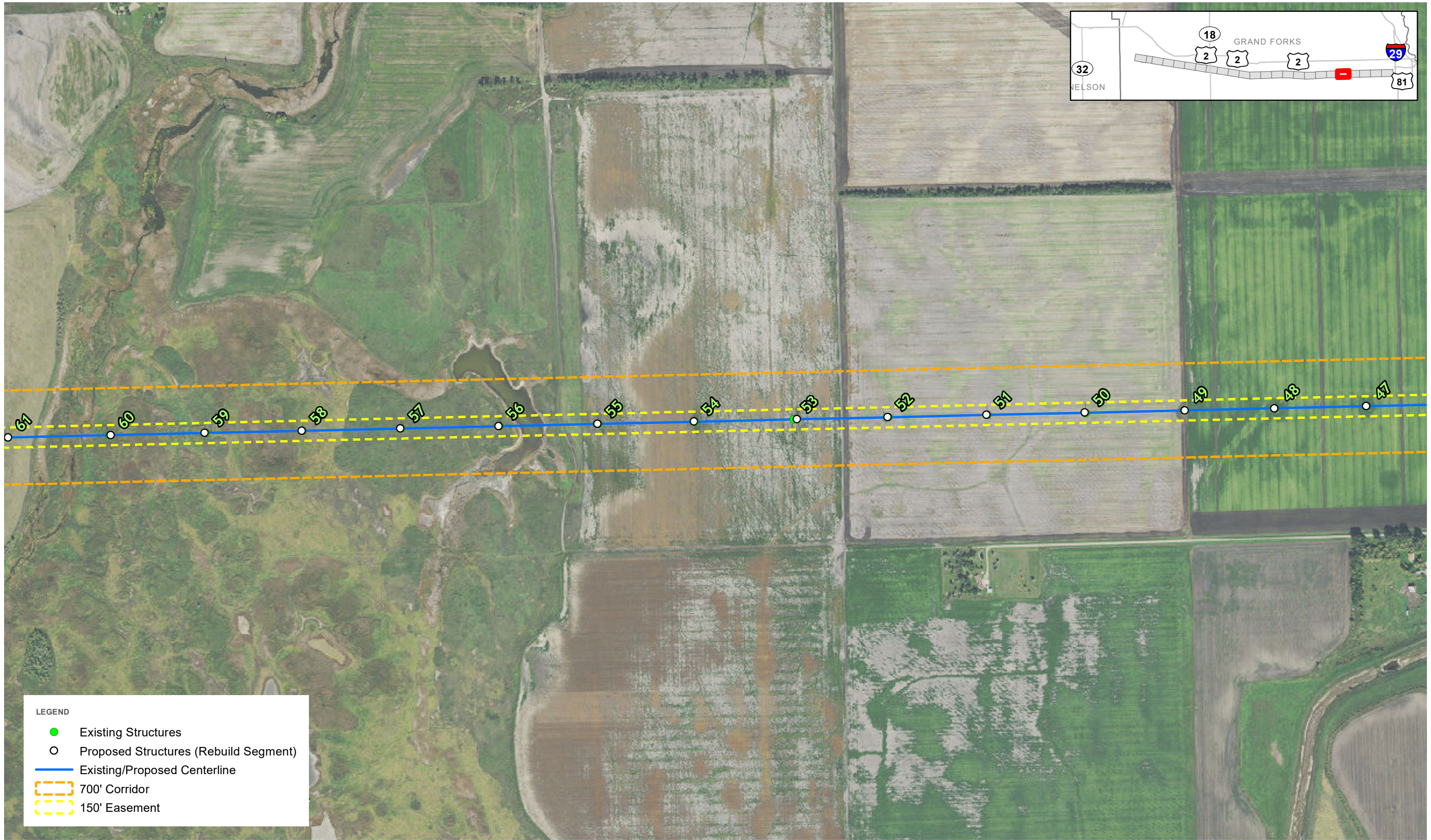
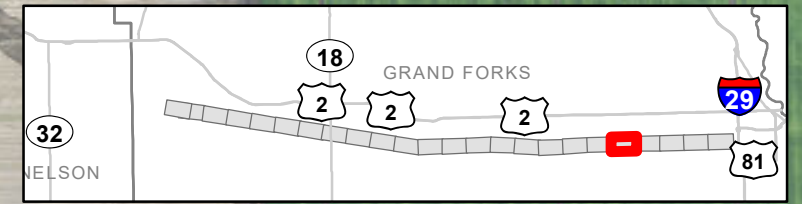
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**LEGEND**

- Existing Structures
- Proposed Structures (Rebuild Segment)
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement

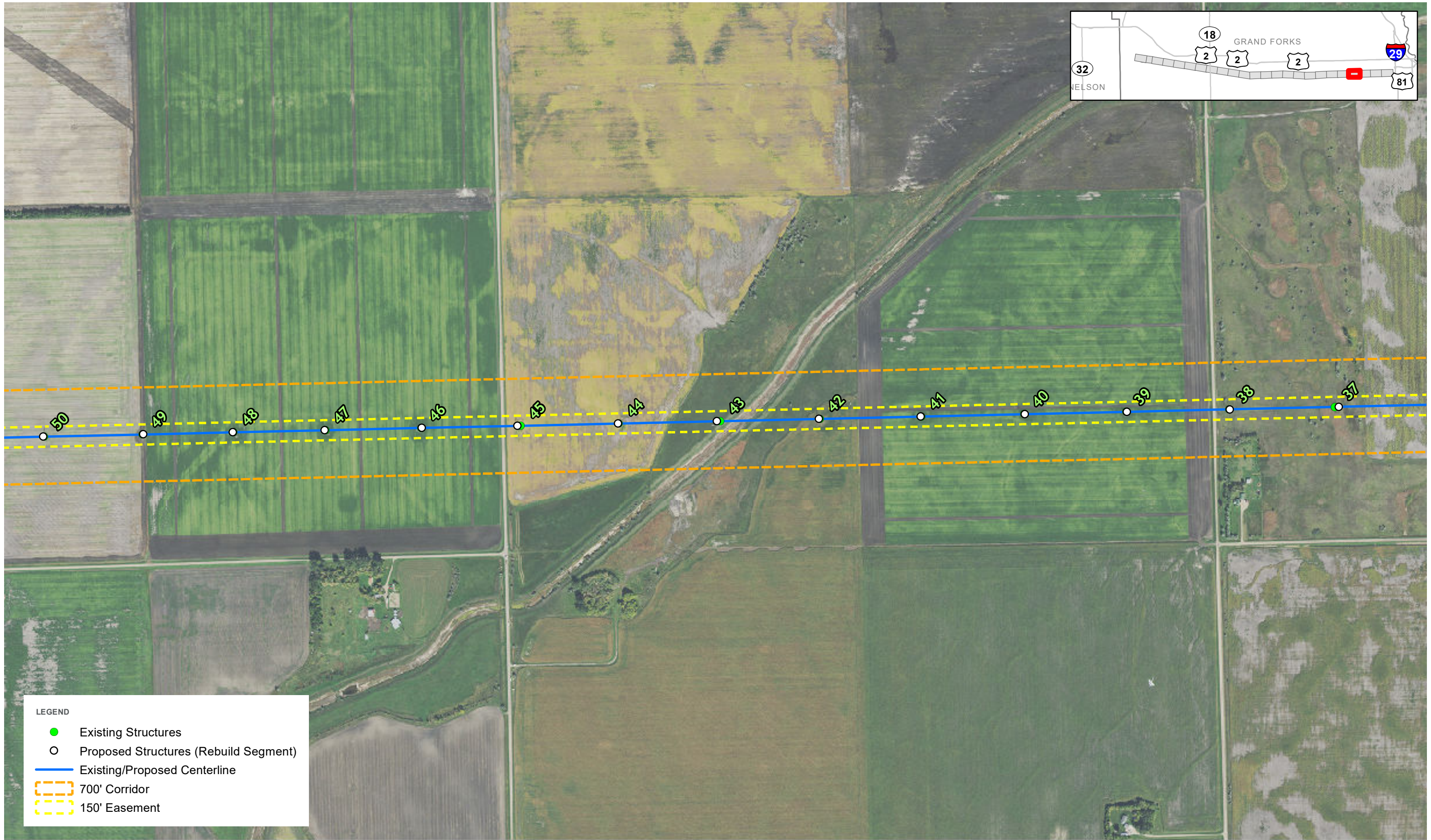
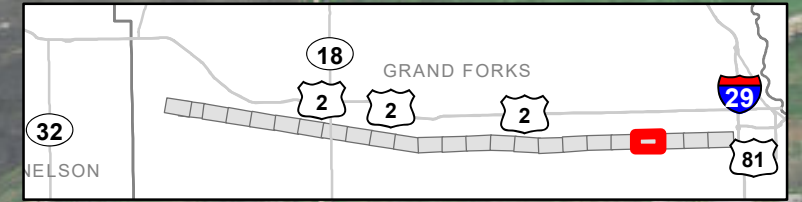




**LEGEND**

- Existing Structures
- Proposed Structures (Rebuild Segment)
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement

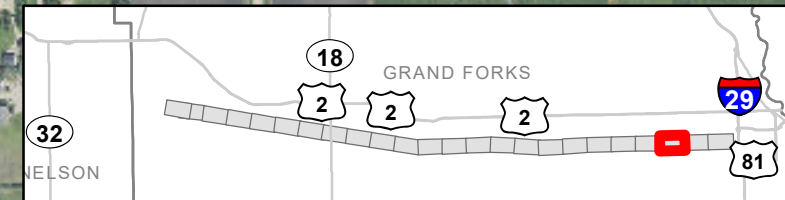
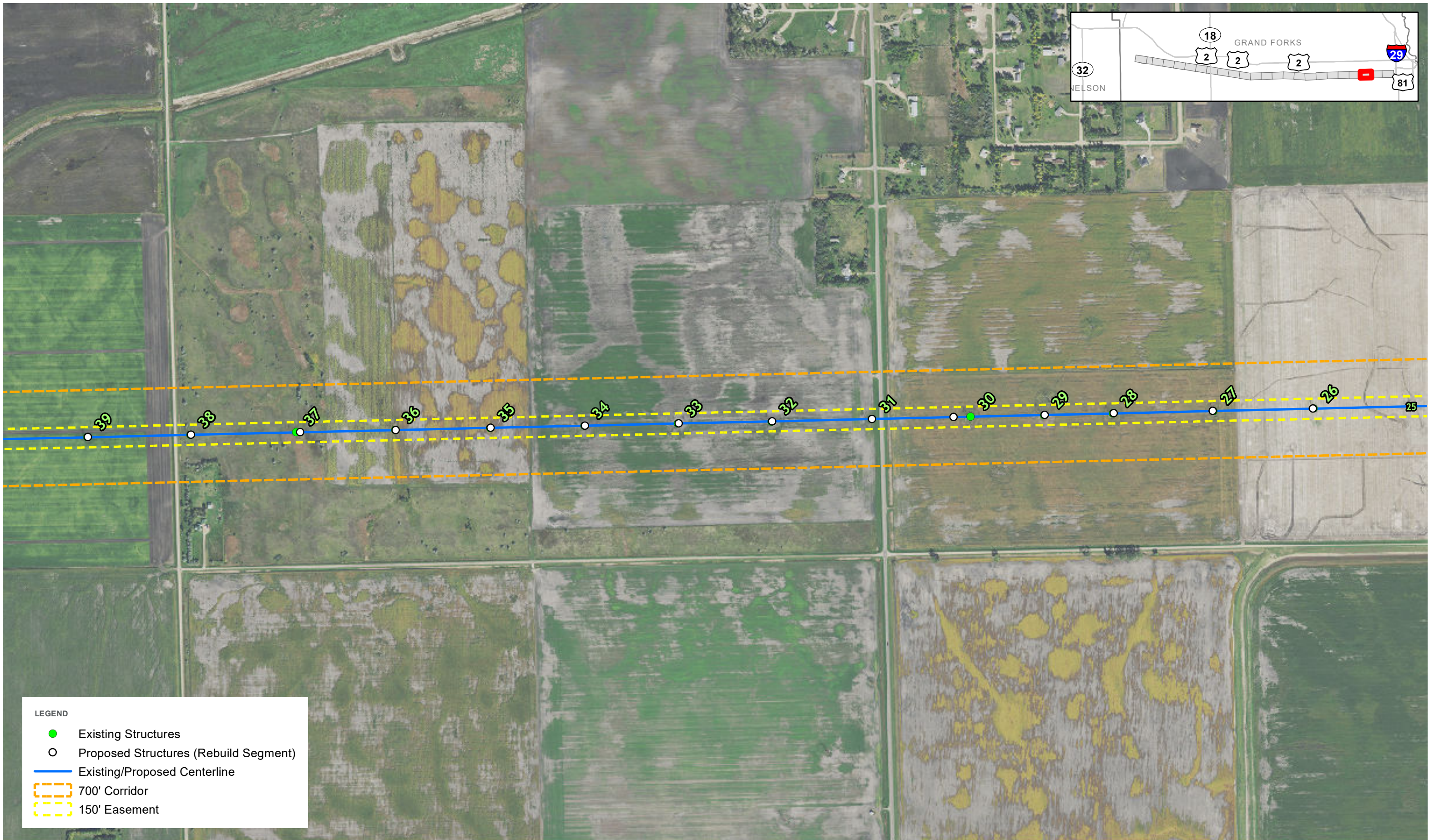




**LEGEND**

- Existing Structures
- Proposed Structures (Rebuild Segment)
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement

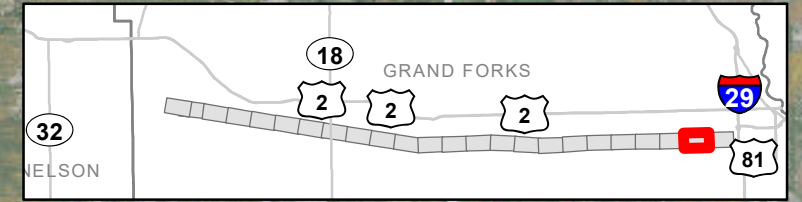




**LEGEND**

- Existing Structures
- Proposed Structures (Rebuild Segment)
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement





**LEGEND**

- Existing Structures
- Proposed Structures (Rebuild Segment)
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement





**LEGEND**

- Existing Structures
- Proposed Structures (Rebuild Segment)
- Existing/Proposed Centerline
- 700' Corridor
- 150' Easement
- Substations



## **Exhibit B**

# **GREAT RIVER ENERGY**



## **GD Line Project**

# **SUMMARY OF ENVIRONMENTAL ANALYSIS FOR PSC CERTIFICATION**

**Prepared by:**

**HDR, Inc.**

**May 2023**

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APPENDIX A AGENCY CONSULTATIONS

## **1.0 INTRODUCTION**

Great River Energy (GRE) owns and operates a 230-kilovolt (kV) transmission line that extends between Minnkota Power Cooperative, Inc.'s Prairie Substation near Grand Forks, North Dakota and GRE's Ramsey Substation near Devil's Lake, North Dakota, known as the GD Line. The Midcontinent Independent System Operator (MISO) has requested that GRE rebuild a portion of the GD Line and construct a breaker station to facilitate interconnection of a wind project to the grid (Project). GRE contracted with HDR, Inc. (HDR) to assist with environmental review and permitting for the Project. This report summarizes the environmental analysis conducted for GRE's Certification Pursuant to NDCC § 49-22-03(3)(a)(4) to be filed with the North Dakota Public Service Commission (PSC).

The Project will consist of replacing structures 10 through 88, spanning approximately 10 miles; replacing conductors and shield/communication wires between the Prairie Substation and structure 252 (in the NE/4 of Section 33, Township 152 North, Range 56 West in Niagara Township), spanning approximately 32 miles; and constructing a breaker station adjacent to structure 252.

The existing GD Line consists of wooden H-frame structures within a 150-foot easement. GRE proposes to rebuild the line within the same 150-foot easement with predominantly wooden H-frame structures placed within approximately 15 feet of the existing structure locations. Structure 88 will be replaced, and then new conductor and shield/communication wires will be strung between structure 88 and structure 252 within the existing easement. Upon completion of restringing, installation of structures 10 through 87 will be completed. The proposed breaker station will be constructed adjacent to and within 350 feet of the centerline of the GD Line.

Construction is anticipated to begin in the fall of 2023 and be completed in approximately six months. The Project is anticipated to be in-service by late summer 2024.

### **1.1 NORTH DAKOTA PUBLIC SERVICE COMMISSION AUTHORITY**

The GD Line was constructed in the mid-1960s, prior to enactment of the Siting Act (NDCC Ch. 49-22). For the Project, GRE plans to comply with the siting exclusion certification requirements of NDCC § 49-22-03(3)(a). Since the GD Line was constructed before April 9, 1975, a corridor width of 350 feet on either side of the centerline (Corridor) applies pursuant to NDCC § 49-22-03(3)(a)(1)(c), and GRE will conduct all Project construction activities within this Corridor.

## 2.0 ENVIRONMENTAL ANALYSIS

HDR conducted an environmental analysis of the Corridor using field surveys, publicly available data, and agency consultations. A summary of the environmental analysis is provided below.

### 2.1 WETLAND DELINEATION

A wetland delineation was conducted by HDR environmental scientists in June and July 2022. The field delineation assessed approximately 107.4 acres of wetlands and stream features. These included 58 likely jurisdictional wetlands, 16 non-jurisdictional ditch wetlands, 1 excavated drainage and 5 stream features.

Wetland delineations followed methodology from the U.S. Army Corps of Engineers (USACE) Wetlands Delineation Manual (Environmental Laboratory, 1987) and the Regional Supplement to the USACE Wetland Delineation Manual: Great Plains Region (Version 2.0) (USACE, 2010). Other waters can include, but are not limited to, streams, ponds, and ditches.

The Project has been designed to minimize potential impacts to wetlands. The existing GD Line crosses some wetland areas. In those areas, the Project will have limited permanent wetland impacts for structure placement. Other impacts to wetlands due to construction activities will be temporary and the areas will be restored following construction. Any wetland impacts will be covered by a Section 404 Nationwide Permit, and GRE will comply with the applicable permit requirements.

### 2.2 SPECIES ASSESSMENT

HDR, on behalf of GRE, reviewed the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) website for a list of USFWS Endangered Species Act (ESA) threatened, endangered, proposed, and candidate species and designated critical habitat that may be impacted by the Project (USFWS, 2022). An official species list obtained from the USFWS North Dakota Ecological Services Field Office is included in **Appendix A**.

<b>Common Name</b>	<b>Scientific Name</b>	<b>Federal Status</b>
Northern Long Eared Bat	<i>Myotis septentrionalis</i>	Endangered
Monarch Butterfly	<i>Danaus plexippus</i>	Candidate <sup>1</sup>

<sup>1</sup>The monarch butterfly is a candidate species and is not currently protected under the ESA.

In April 2023, the USFWS's online IPaC tool identified two species as having the potential to occur within the Project Corridor. The northern long eared bat (NLEB) is listed as endangered and is noted as potentially occurring within the Project Corridor. The monarch butterfly is a candidate species that was included as having potential to occur within the Project Corridor.

#### Northern Long-eared Bat

NLEB roost either singularly or in colonies underneath bark, in cavities, or in crevices of trees. During the winter, northern long-eared bats hibernate in caves or mines (USFWS, 2019). North Dakota has no known hibernacula or maternity roosts for the NLEB, according to the USFWS.

Impacts related to tree clearing, wire stringing, and other activities will not cause irreversible damage to the habitat areas associated with NLEB. There is no designated critical habitat within the Project Corridor.

Tree removal would occur for the project and is anticipated to be minimal, as the Project will occur within existing transmission line right-of-way. In accordance with current USFWS recommendations, any tree removal over 3" diameter at breast height (DBH) will occur in the inactive season from October 31 to March 31 to minimize potential impacts to the NLEB. With the incorporation of this seasonal restriction, no impacts to the NLEB are expected. USFWS response for the portion of the corridor outside of federal jurisdiction indicated the action is not likely to result in unauthorized take of the NLEB. The USFWS response for the USACE-led areas where jurisdictional wetlands are crossed indicated the project may affect, but is not likely to adversely affect the species. No tree removal will take place in jurisdictional wetland areas.

### Monarch Butterfly

Monarch butterflies need milkweed and flowering plants for feeding, breeding and migration. This habitat is commonly found in roadside ditches, open areas and wetland areas, or urban gardens. The majority of the Project Corridor runs through cropped fields that have been disturbed due to years of agricultural practices. There is no designated critical habitat within the Project Corridor. Monarch butterflies have potential to occur in portions of the Project Corridor where flowering plants or milkweed are present, although the farmed nature of most of the corridor would deter most of these species from using habitats where this transmission line occurs.

Construction is planned to occur during the fall/winter season. Monarch butterflies typically leave North Dakota in late summer to migrate to their winter habitat and don't arrive back in North Dakota until late spring. As such, construction would occur when monarchs are not present and no impacts to monarch butterflies are expected. Additionally, due to being a candidate species, no mitigation is required.

### Raptors

The Bald and Golden Eagle Protection Act (16 USC § 668-668c) provides for the protection of bald and golden eagles by prohibiting the taking, possession, and commerce of such birds, except under certain specified conditions. USFWS issues permits to take, possess, and transport bald and golden eagles. There is the potential for nests in the Project vicinity. In addition, raptor species are protected under the Migratory Bird Treaty Act, which prohibits a 'take' of migratory birds or their nests.

A raptor nest survey was conducted by Michael Swenson, HDR in April, June, and July 2022. On-ground surveying found one red-tailed hawk (*Buteo lineatus*) nest on one of the structures (GD Line Structure 242). Activity was observed at the nest during both the June and July 2022 surveys. Construction will occur outside the active red-tailed hawk nesting season (generally March – July) and no impacts are anticipated.

The locations of known bald eagle nests within 5-miles of the centerline were provided by the North Dakota Game and Fish Department (NDGFD). Four locations of existing bald eagle nests were provided by the NDGFD, and all were over one mile from the Project Corridor. Activity was not observed at any of the nests during surveying. As a result, no impacts to bald or golden eagles are anticipated.

## 2.3 CULTURAL RESOURCE FIELD SURVEY

Juniper Environmental Consulting conducted a Class I Literature Review and Class III Cultural Resource Inventory of the proposed Project in August and October 2022 to determine impacts relative to archaeological sites. The Class I literature review identified one preexisting site lead which would cross into transmission right-of-way, a junction of the Great Northern Railroad mainline. This railroad segment is *unevaluated* for inclusion in the National Register of Historic Places (NRHP). A Class III Cultural Resource Inventory was recommended by ND State Historic Preservation Office (SHPO) for the entire length of the Project Corridor.

The Class III inventory was conducted in August 2022 and extended approximately 34 miles. No new cultural resources were discovered during the survey. The previously recorded junction along the Great Northern Railroad was not identified in the Project corridor; therefore, the proposed undertaking will not impact the site lead.

Based on the results of the Class I and Class III investigations, no impacts to cultural resources are anticipated. The ND SHPO concurred with the recommended determination of “No Historic Properties Affected” for the Project on December 19, 2022 (see ND SHPO correspondence in **Appendix A**). GRE will provide the Contractor with an unanticipated discoveries plan for the project to outline procedures to be followed in the event cultural resources are encountered during construction.

## 2.4 NORTH DAKOTA PUBLIC SERVICE COMMISSION EXCLUSION/AVOIDANCE AREA REVIEW

HDR conducted a review of the exclusion and avoidance areas in North Dakota Administrative Code (NDAC) § 69-06-08-02 for the Project using information collected through desktop/publicly available data<sup>1</sup> and field surveys. Additionally, HDR, on behalf of GRE coordinated with agencies, including USACE, USFWS, SHSND, and Grand Forks Air Force Base (U.S. Department of Defense). In accordance with NDAC § 69-06-08-02, the following exclusion and avoidance areas have been analyzed within the Corridor (see Table 2 below).

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<sup>1</sup> The sources of publicly available geographic information systems (GIS) data utilized for this analysis included the ND GIS Hub, ESRI, NPS, USFWS, NRCS and USGS.

**Table 2**

**North Dakota Public Service Commission Exclusion and Avoidance Areas for Transmission Facilities**

Exclusion/Avoidance Areas	Impacted by the Project	Description
<b>Exclusion Areas (North Dakota Administrative Code, § 69-06-08-02(1), Transmission Facility Corridor &amp; Route Criteria)</b>		
Designated or registered national: parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas.	No	Based on publicly available data from ESRI, ND GIS Hub, and NPS, no designated or registered national: parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas are present within the Project Corridor. As a result, the Project will not impact these resources.
Designated or registered state: parks; historic sites; monuments; historical markers; archaeological sites; and nature preserves.	No	Based on publicly available data through the ND GIS Hub and surveys conducted by Juniper, no designated or registered state: parks; historic sites; monuments; historical markers; or nature preserves are present within the Project Corridor. As a result, the Project will not impact these resources. Juniper conducted a Class I and Class III cultural survey in support of the Project to identify archaeological sites. One preexisting site lead was identified during the Class I literature survey but was not found to be within the Project Corridor during the Class III field survey. Therefore, the Project will not impact the site lead. No additional archeological sites were identified. SHPO concurred with the recommendation of <i>No Historic Properties Affected</i> on 12/19/2022.
County parks and recreational areas; municipal parks; and parks owned or administered by other governmental subdivisions.	No	Based on ESRI and ND GIS Hub data, no county parks and recreational areas; municipal parks; and parks owned or administered by other governmental subdivisions are present within the Project Corridor. As a result, the Project will not impact these resources.
Areas critical to the life stages of threatened or endangered animal or plant species.	No	HDR conducted habitat assessment surveys in 2022 in support of the Project. Potential habitat for the NLEB may occur in the area. To minimize impacts to the NLEB, any tree removal required for the Project would be completed during winter months, outside of the active season. Additionally, GRE plans to conduct construction activities in potential habitat areas outside of the NLEB active season. As a result, no impacts to NLEB are anticipated. See Section 2.2.
Areas where animal or plant species that are unique or rare to this state would be irreversibly damaged.	No	HDR conducted habitat assessment surveys in 2022 in support of the Project. No unique or rare plant species were identified, and no rare or unique animals are expected to be impacted by the Project. See Section 2.2.
Areas within 1,200 feet of the geographic center of an intercontinental ballistic missile (ICBM) launch or launch control facility.	No	HDR on behalf of GRE, consulted with U.S. Department of Defense (USDOD), Grand Forks Air Base. No response was received, but an online review of missile facilities did not identify any within 1,200 feet of the Project (ND 2022) (see Appendix A). As a result, no impacts are anticipated.
Areas within 30 feet on either side of a direct line between an ICBM launch facility and a missile alert or launch control facilities to avoid microwave interference.	No	HDR on behalf of GRE, consulted with U.S. Department of Defense (USDOD), Grand Forks Air Base (see Appendix A). No response was received, but an online review of missile facilities did not identify any that would result in the Project being located within 30 feet from either side of a direct line between facilities. As a result, no impacts are anticipated.

**Table 2****North Dakota Public Service Commission Exclusion and Avoidance Areas for Transmission Facilities**

Exclusion/Avoidance Areas	Impacted by the Project	Description
<b>Avoidance Areas (North Dakota Administrative Code, § 69-06-08-02(2), Transmission Facility Corridor &amp; Route Criteria)</b>		
Designated or registered national: historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands.	No	HDR reviewed the National Wild and Scenic Rivers System online database; there are no designated wild and scenic rivers in ND, and no designated wilderness areas are within the Project Corridor. Based on the ND GIS Hub and USFWS data, no existing USFWS lands or easements are located in the Project Corridor. The closest national wildlife refuge is Little Goose National Wildlife Refuge, located over a mile south of the Project Corridor. Based on NRHP data, no historic districts are located in the Project Corridor. As a result, no impacts are anticipated.
Designated or registered state: wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands.	No	The Corridor crosses the Oakville Prairie Wildlife Management Area (WMA), owned and administered by the NDGF. In consultation with the NDGF, GRE confirmed that GRE's easement rights within the Project Corridor pre-date the establishment of the WMA and no additional approvals are required from NDGF for the Project. Therefore, NDAC § 69-6-08-02(b) does not apply to the Project. GRE will continue to coordinate with the NDGF and the University of North Dakota (which operates the Oakville Prairie Field Station within the WMA) throughout the Project, including on measures to minimize potential construction impacts and seed mix selection/sourcing for reseeding, as needed.
Historical resources which are not designated as exclusion or avoidance areas.	No	Based on publicly available data and field surveys, Juniper has not identified any historical resources which are not designated as exclusion areas in the Project Corridor. Refer to Section 2.3. As a result, no impacts are anticipated.
Areas that are geologically unstable.	No	HDR reviewed the North Dakota Geologic Survey's landslide deposit data (NDGS 2021) and abandoned mine data found on the ND GIS Hub; no landslides or abandoned mines are located in the Project Corridor. In addition, GRE consulted with NDGS in November 2022 (see Appendix A). NDGS noted there is potential for glaciolacustrine clay to occur at shallow subsurface depths of 10 feet and up to a depth of 40 feet approximately 5 miles west of the City of Grand Forks. GRE will perform geotechnical investigations from Structures 10 – 12 to determine local subsurface conditions and will modify foundations as appropriate. No impacts are anticipated.
Within 500 feet [152.4 meters] of a residence, school, or place of business. This criterion shall not apply to a water pipeline transmission facility. This avoidance area may be waived by the owner.	No	Residences and one business were built around the GD Line after it was constructed; as a result, inhabited residences and a business are located within 500 feet of the Project. However, structures will be installed along the same centerline, so the Project will not change the existing route alignment. Additionally, NDCC § 49-22-05.1(3) provides that electric transmission lines in existence before July 1, 1983 are excepted from the 500-foot inhabited rural residence avoidance area. Therefore, the inhabited residence avoidance area in NDCC § 49-22-05.1(3) and NDAC § 69-6-08-02(e) does not apply. No schools are within 500 feet. As a result, no impacts are anticipated.
Reservoirs and municipal water supplies.	No	HDR reviewed the Source Water Protection Areas (Community/Non-Community) data available on the NDDEQ Source Water Protection Area (2023) in February 2023; no source water protection areas are located in the Project Corridor. As a result, no impacts are anticipated.
Water sources for organized rural water districts.	No	HDR reviewed the Rural Water Districts data available on the NDGISHUB map resources. There are no river crossings or water sources noted for organized rural water districts. As a result, no impacts are anticipated.
Areas of recreational significance which are not designated as exclusion areas.	No	No recreational areas are known to occur in the Project Corridor. As a result, no impacts are anticipated.

### 3.0 REFERENCES

- Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1. U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss.
- Harris, Kenneth L., Lorraine A. Manz, and Barbara A. 2020. *Quaternary Stratigraphic Nomenclature, Red River Valley, North Dakota and Minnesota: An update*. 249 p. Accessed online at [https://www.dmr.nd.gov/ndgs/documents/Publication\\_List/pdf/MiscSeries/MS-95.pdf](https://www.dmr.nd.gov/ndgs/documents/Publication_List/pdf/MiscSeries/MS-95.pdf)
- North Dakota Geographic Information Systems (NDGIS). 2020. North Dakota GIS Hub Data Portal. Available online at: <https://gishubdata-ndgov.hub.arcgis.com/>. Accessed November 2022 and March 2023.
- NDGS. 2021. Areas of Landslides. Available online at: <https://www.dmr.nd.gov/ndgs/landslides/>
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- State Historical Society of North Dakota. 2022. Section 2: Air Force Bases. Available online at: <https://www.ndstudies.gov/gr8/content/unit-iv-modern-north-dakota-1921-present/lesson-1-changing-landscapes/topic-4-missile-defense-system/section-2-air-force-bases>. Accessed March 2023.
- USACE. 2010. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (Version 2.0). Ed. J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-10-1. Vicksburg, MS: U.S. Army Engineer
- USFWS. 2019. Northern Long-Eared Bat Range. Map created November 26, 2019. Available online at: <https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>
- USFWS. 2023. IPaC Information for Planning and Consultation. Available online at: <https://ecos.fws.gov/ipac/>. Accessed April 2023.

APPENDIX A  
AGENCY CONSULTATIONS

U.S. Fish and Wildlife Service IPaC



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
North Dakota Ecological Services Field Office  
3425 Miriam Avenue  
Bismarck, ND 58501-7926  
Phone: (701) 250-4481 Fax: (701) 355-8513

In Reply Refer To:  
Project Code: 2023-0063801  
Project Name: GRE GD Line Rebuild Project

April 12, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

## **Section 7 of the Endangered Species Act**

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. The Act requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service *if they determine their project and associated actions “may affect” listed species or critical habitat.* If Federal agencies or their non-federal representatives determine their project and associated actions will have “no effect” on listed species, their habitats, or designated critical habitat, consultation is not required. However, if a “no effect” is determined, we recommend that you maintain a written record in support of your conclusion.

## **Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act**

Additionally, while not all are listed as threatened or endangered, eagles and migratory birds

have protections under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA). The BGEPA prohibits take which is defined as, “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb” (50 CFR 22.3). Disturb is defined in regulations as, “to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”. The MBTA makes it unlawful without a waiver to pursue, hunt, take, capture, kill, or sell birds listed as migratory birds, including eagles. The statute does not discriminate between live or dead birds and also grants full protection to any bird parts including feathers, eggs, and nests.

### **Service Property Interests**

As part of the National Wildlife Refuge System, the Service administers fee title Refuge and Waterfowl Production Areas, as well as wetland and grassland easements, throughout North Dakota. For exact locations of Service interest lands, please contact the appropriate Wetland Management Districts (WMD) for guidance regarding FWS easements.

Northwest ND WMD Complex: Kyle Flanery, (701) 768-2548

Eastern ND WMD Complex: Dave Azure, (701) 285-3341

Central ND WMD Complex (also covers south and west): Todd Luke, (701) 442-5474

### Attachment(s):

- Official Species List
  - USFWS National Wildlife Refuges and Fish Hatcheries
  - Wetlands
-

## **OFFICIAL SPECIES LIST**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**North Dakota Ecological Services Field Office**

3425 Miriam Avenue

Bismarck, ND 58501-7926

(701) 250-4481

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## PROJECT SUMMARY

Project Code: 2023-0063801  
Project Name: GRE GD Line Rebuild Project  
Project Type: Transmission Line - Maintenance/Modification - Above Ground  
Project Description: Great River Energy owns and operates a 230-kilovolt (kV) transmission line that extends between Minnkota Power Cooperative, Inc.'s Prairie Substation near Grand Forks, North Dakota and Great River Energy's Ramsey Substation near Devil's Lake, North Dakota known as the GD Line. The Midcontinent Independent System Operator (MISO) has requested that Great River Energy rebuild a portion of the GD Line and construct a breaker station to facilitate interconnection of a wind project to the grid (Rebuild Project). The Rebuild Project will consist of replacing structures 10 through 88, spanning approximately 10 miles west of the Prairie Substation; replacing conductors and shield/communication wires between the Prairie Substation and structure 252 (in the NE ¼ NE ¼ of Section 33, Township 152 North, Range 56 West in Niagara Township), spanning approximately 32 miles; and constructing a breaker station adjacent to structure 252.

### Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@47.9247581,-97.65335679992916,14z>



Counties: Grand Forks County, North Dakota

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## ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered

## INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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# USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

The following FWS National Wildlife Refuge Lands and Fish Hatcheries lie fully or partially within your project area:

FACILITY NAME	ACRES
GRAND FORKS COUNTY WATERFOWL PRODUCTION AREA <a href="https://www.fws.gov/refuges/profiles/index.cfm?id=62580">https://www.fws.gov/refuges/profiles/index.cfm?id=62580</a>	0

# WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

## FRESHWATER POND

- [PABF](#)

## FRESHWATER EMERGENT WETLAND

- [PEM1E](#)
- [PEM1A](#)
- [PEM1Ed](#)
- [PEM1Ch](#)
- [PEM1B](#)
- [PEM1Cd](#)
- [PEM1C](#)
- [PEM1Cx](#)
- [PEM1Ad](#)

## LAKE

- [L2ABG](#)

## RIVERINE

- [R4SBC](#)
- [R4SBAx](#)
- [R4SBCx](#)
- [R4SBA](#)

## OTHER

- [Pf](#)

## FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1C](#)
-

## **IPAC USER CONTACT INFORMATION**

Agency: HDR  
Name: Julia Czarnecki  
Address: 101 S Phillips Ave  
Address Line 2: Suite 401  
City: Sioux Falls  
State: SD  
Zip: 57106  
Email: [julia.czarnecki@hdrinc.com](mailto:julia.czarnecki@hdrinc.com)  
Phone: 6057828145

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## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
North Dakota Ecological Services Field Office  
3425 Miriam Avenue  
Bismarck, ND 58501-7926  
Phone: (701) 250-4481 Fax: (701) 355-8513

In Reply Refer To:  
Project code: 2023-0063801  
Project Name: GRE GD Line Rebuild Project

April 03, 2023

Federal Nexus: no  
Federal Action Agency (if applicable):

**Subject:** Technical assistance for 'GRE GD Line Rebuild Project'

Dear Julia Czarnecki:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on April 03, 2023, for 'GRE GD Line Rebuild Project' (here forward, Project). This project has been assigned Project Code 2023-0063801 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

### **Ensuring Accurate Determinations When Using IPaC**

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter.

### **Determination for the Northern Long-Eared Bat**

Based upon your IPaC submission and a standing analysis, your project is not reasonably certain to cause incidental take of the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

## Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species and/or critical habitat listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

## Next Steps

Coordination with the Service is complete. This letter serves as technical assistance. All conservation measures should be implemented as proposed. Thank you for considering federally listed species during your project planning.

We are uncertain where the northern long-eared bat occurs on the landscape outside of known locations. Because of the steep declines in the species and vast amount of available and suitable forest habitat, the presence of suitable forest habitat alone is a far less reliable predictor of their presence. Based on the best available information, most suitable habitat is now expected to be unoccupied. During the interim period, while we are working on potential methods to address this uncertainty, we conclude take is not reasonably certain to occur in areas of suitable habitat where presence has not been documented.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place before project implements any changes which are final or commits additional resources.

If you have any questions regarding this letter or need further assistance, please contact the North Dakota Ecological Services Field Office and reference Project Code 2023-0063801 associated with this Project.

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## Action Description

You provided to IPaC the following name and description for the subject Action.

### 1. Name

GRE GD Line Rebuild Project

### 2. Description

The following description was provided for the project 'GRE GD Line Rebuild Project':

Great River Energy owns and operates a 230-kilovolt (kV) transmission line that extends between Minnkota Power Cooperative, Inc.'s Prairie Substation near Grand Forks, North Dakota and Great River Energy's Ramsey Substation near Devil's Lake, North Dakota known as the GD Line. The Midcontinent Independent System Operator (MISO) has requested that Great River Energy rebuild a portion of the GD Line and construct a breaker station to facilitate interconnection of a wind project to the grid (Rebuild Project). The Rebuild Project will consist of replacing structures 10 through 88, spanning approximately 10 miles west of the Prairie Substation; replacing conductors and shield/communication wires between the Prairie Substation and structure 252 (in the NE ¼ NE ¼ of Section 33, Township 152 North, Range 56 West in Niagara Township), spanning approximately 32 miles; and constructing a breaker station adjacent to structure 252.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@47.9247581,-97.65335679992916,14z>



## DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

## QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

**Note:** Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Do you have post-white nose syndrome occurrence data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed acoustic detections. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

**Note:** For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

No

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# PROJECT QUESTIONNAIRE

**IPAC USER CONTACT INFORMATION**

Agency: HDR  
Name: Julia Czarnecki  
Address: 101 S Phillips Ave  
Address Line 2: Suite 401  
City: Sioux Falls  
State: SD  
Zip: 57106  
Email: [julia.czarnecki@hdrinc.com](mailto:julia.czarnecki@hdrinc.com)  
Phone: 6057828145

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## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
North Dakota Ecological Services Field Office  
3425 Miriam Avenue  
Bismarck, ND 58501-7926  
Phone: (701) 250-4481 Fax: (701) 355-8513

In Reply Refer To:  
Project code: 2023-0063801  
Project Name: GRE GD Line Rebuild Project

April 26, 2023

Federal Nexus: yes  
Federal Action Agency (if applicable):

**Subject:** Technical assistance for 'GRE GD Line Rebuild Project'

Dear Julia Czarnecki:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on April 26, 2023, for 'GRE GD Line Rebuild Project' (here forward, Project). This project has been assigned Project Code 2023-0063801 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

### **Ensuring Accurate Determinations When Using IPaC**

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into the IPaC must accurately represent the full scope and details of the Project. Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter.

### **Determination for the Northern Long-Eared Bat**

Based upon your IPaC submission and a standing analysis, your project is not reasonably certain to cause incidental take of the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

## Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

## Next Step

Consultation with the Service is necessary. The project has a federal nexus (e.g., Federal funds, permit, etc.), but you are not the federal action agency or its designated (in writing) non-federal representative. Therefore, the ESA consultation status is incomplete and no project activities should occur until consultation between the Service and the Federal action agency (or designated non-federal representative), is completed.

As the federal agency or designated non-federal representative deems appropriate, they should submit their determination of effects to the Service by doing the following.

1. Log into IPaC using an agency email account and click on My Projects, click "Search by record locator" to find this Project using **565-125613771**. (Alternatively, the originator of the project in IPaC can add the agency representative to the project by using the Add Member button on the project home page.)
2. Review the answers to the Northern Long-eared Bat Range-wide Determination Key to ensure that they are accurate.
3. Click on Review/Finalize to convert the 'not likely to adversely affect' consistency letter to a concurrence letter. Download the concurrence letter for your files if needed.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place before project implements any changes which are final or commits additional resources.

If you have any questions regarding this letter or need further assistance, please contact the North Dakota Ecological Services Field Office and reference Project Code 2023-0063801 associated with this Project.

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## Action Description

You provided to IPaC the following name and description for the subject Action.

### 1. Name

GRE GD Line Rebuild Project

### 2. Description

The following description was provided for the project 'GRE GD Line Rebuild Project':

Great River Energy owns and operates a 230-kilovolt (kV) transmission line that extends between Minnkota Power Cooperative, Inc.'s Prairie Substation near Grand Forks, North Dakota and Great River Energy's Ramsey Substation near Devil's Lake, North Dakota known as the GD Line. The Midcontinent Independent System Operator (MISO) has requested that Great River Energy rebuild a portion of the GD Line and construct a breaker station to facilitate interconnection of a wind project to the grid (Rebuild Project). The Rebuild Project will consist of replacing structures 10 through 88, spanning approximately 10 miles west of the Prairie Substation; replacing conductors and shield/communication wires between the Prairie Substation and structure 252 (in the NE ¼ NE ¼ of Section 33, Township 152 North, Range 56 West in Niagara Township), spanning approximately 32 miles; and constructing a breaker station adjacent to structure 252. No tree removal will take place in jurisdictional wetlands.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@47.9247581,-97.65335679992916,14z>



## DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

## QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

**Note:** Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Do you have post-white nose syndrome occurrence data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed acoustic detections. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

**Note:** For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

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6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

**Note:** This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

*No*

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

*No*

8. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

**Note:** Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

*No*

9. Does the action area contain any caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating northern long-eared bats?

*No*

10. Does the action area contain or occur within 0.5 miles of (1) talus or (2) anthropogenic or naturally formed rock crevices in rocky outcrops, rock faces or cliffs?

*No*

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11. Is suitable summer habitat for the northern long-eared bat present within 1000 feet of project activities?  
(If unsure, answer "Yes.")

**Note:** If there are trees within the action area that are of a sufficient size to be potential roosts for bats (i.e., live trees and/or snags  $\geq 3$  inches (12.7 centimeter) dbh), answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

*Yes*

12. Will the action cause effects to a bridge?

*No*

13. Will the action result in effects to a culvert or tunnel?

*No*

14. Does the action include the intentional exclusion of northern long-eared bats from a building or structure?

**Note:** Exclusion is conducted to deny bats' entry or reentry into a building. To be effective and to avoid harming bats, it should be done according to established standards. If your action includes bat exclusion and you are unsure whether northern long-eared bats are present, answer "Yes." Answer "No" if there are no signs of bat use in the building/structure. If unsure, contact your local U.S. Fish and Wildlife Services Ecological Services Field Office to help assess whether northern long-eared bats may be present. Contact a Nuisance Wildlife Control Operator (NWCO) for help in how to exclude bats from a structure safely without causing harm to the bats (to find a NWCO certified in bat standards, search the Internet using the search term "National Wildlife Control Operators Association bats"). Also see the White-Nose Syndrome Response Team's guide for bat control in structures

*No*

15. Does the action involve removal, modification, or maintenance of a human-made structure (barn, house, or other building) **known or suspected to contain roosting bats**?

*No*

16. Will the action cause construction of one or more new roads open to the public?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

*No*

17. Will the action include or cause any construction or other activity that is reasonably certain to increase average daily traffic on one or more existing roads?

**Note:** For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

*No*

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18. Will the action include or cause any construction or other activity that is reasonably certain to increase the number of travel lanes on an existing thoroughfare?

For federal actions, answer 'yes' when the construction or operation of these facilities is either (1) part of the federal action or (2) would not occur but for an action taken by a federal agency (federal permit, funding, etc.).

*No*

19. Will the proposed action involve the creation of a new water-borne contaminant source (e.g., leachate pond pits containing chemicals that are not NSF/ANSI 60 compliant)?

*No*

20. Will the proposed action involve the creation of a new point source discharge from a facility other than a water treatment plant or storm water system?

*No*

21. Will the action include drilling or blasting?

*Yes*

22. Will the drilling or blasting affect known or potentially suitable hibernacula, summer habitat, or active year-round habitat (where applicable) for the northern long-eared bat?

**Note:** In addition to direct impacts to hibernacula, consider impacts to hydrology or air flow that may impact the suitability of hibernacula. Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

*No*

23. Will the action involve military training (e.g., smoke operations, obscurant operations, exploding munitions, artillery fire, range use, helicopter or fixed wing aircraft use)?

*No*

24. Will the proposed action involve the use of herbicides or pesticides other than herbicides (e.g., fungicides, insecticides, or rodenticides)?

*No*

25. Will the action include or cause activities that are reasonably certain to cause chronic nighttime noise in suitable summer habitat for the northern long-eared bat? Chronic noise is noise that is continuous or occurs repeatedly again and again for a long time.

**Note:** Additional information defining suitable summer habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

*No*

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26. Does the action include, or is it reasonably certain to cause, the use of artificial lighting within 1000 feet of suitable northern long-eared bat roosting habitat?

**Note:** Additional information defining suitable roosting habitat for the northern long-eared bat can be found at: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

*No*

27. Will the action include tree cutting or other means of knocking down or bringing down trees, tree topping, or tree trimming?

*No*

28. Will the action result in the use of prescribed fire?

*No*

29. Will the action cause noises that are louder than ambient baseline noises within the action area?

*No*

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## PROJECT QUESTIONNAIRE

Enter the extent of the action area (in acres) from which trees will be removed - round up to the nearest tenth of an acre. For this question, include the entire area where tree removal will take place, even if some live or dead trees will be left standing.

0

Will all potential northern long-eared bat (NLEB) roost trees (trees  $\geq 3$  inches diameter at breast height, dbh) be cut, knocked, or brought down from any portion of the action area greater than or equal to 0.1 acre? If all NLEB roost trees will be removed from multiple areas, select 'Yes' if the cumulative extent of those areas meets or exceeds 0.1 acre.

No

Enter the extent of the action area (in acres) from which all potential NLEB roost trees will be removed. If all NLEB roost trees will be removed from multiple areas, entire the total extent of those areas. Round up to the nearest tenth of an acre.

0

For the area from which all potential northern long-eared bat (NLEB) roost trees will be removed, on how many acres (round to the nearest tenth of an acre) will trees be allowed to regrow? Enter '0' if the entire area from which all potential NLEB roost trees are removed will be developed or otherwise converted to non-forest for the foreseeable future.

0

Will any snags (standing dead trees)  $\geq 3$  inches dbh be left standing in the area(s) in which all northern long-eared bat roost trees will be cut, knocked down, or otherwise brought down?

No

Will all project activities be completed by April 1, 2024?

Yes

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**IPAC USER CONTACT INFORMATION**

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City: Sioux Falls  
State: SD  
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Email: julia.czarnecki@hdrinc.com  
Phone: 6057828145

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North Dakota State Historic  
Preservation Office



December 19, 2022

Mark Strohfus  
Project Manager, Transmission Permitting  
Great River Energy  
Mark Strohfus  
Project Manager, Transmission Permitting  
12300 Elm Creek Boulevard  
Maple Grove, MN 55369-4718

**ND SHPO Ref.: 23-5138 “Great River Energy 230kV Transmission Line Rebuild: A Class III Cultural Resource Inventory in Grand Forks County, North Dakota” in portions of [T151N R51W Sections 7-12] [T151N R52W Sections 7-12] [T151N R53W Sections 7-12] [T151N R54W Sections 5, 6 & 8-12] [T151N R55W Sections 1-5] [T152N R55W Sections 31 & 32] & [T152N R56W Sections 32-36] ROI 763**

Dear Mark,

We reviewed ND SHPO Ref.: 23-5138 “Great River Energy 230kV Transmission Line Rebuild: A Class III Cultural Resource Inventory in Grand Forks County, North Dakota” in portions of [T151N R51W Sections 7-12] [T151N R52W Sections 7-12] [T151N R53W Sections 7-12] [T151N R54W Sections 5, 6 & 8-12] [T151N R55W Sections 1-5] [T152N R55W Sections 31 & 32] & [T152N R56W Sections 32-36] ROI 763 and find the report by Rebecca Pace acceptable. We concur with a determination of “No Historic Properties Affected” for this project provided it takes place in the location and in the manner described in the documentation and provided all borrow comes from an approved source.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. 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  
State Historic Preservation Officer  
(North Dakota)

23-5138

# North Dakota Geological Survey

## Czarnecki, Julia

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**From:** Anderson, Fred J. <fjanderson@nd.gov>  
**Sent:** Friday, November 18, 2022 11:54 AM  
**To:** Swenson, Michael  
**Cc:** MStrohfus@GREnergy.com  
**Subject:** N.D. Geological Survey: Geologic Review of Proposed GRE GD 230-kV Transmission Line Rebuild - Comments

**CAUTION: [EXTERNAL]** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Swenson,

I have reviewed the GRE comment solicitation letter of November 17, 2022, for this project and would note the following:

Most of the proposed transmission line rebuild route passes through areas of extensive glacial deposits that are not conducive to the formation of landslides or other geologically unstable conditions and generally offer favorable construction conditions for surface engineered works.

As the route approaches the City of Grand Forks, approximately five miles or so east of town, the smectitic, glaciolacustrine clay of the Brenna Formation begins to occur in the shallow subsurface at depths of approximately 10 feet and may be up to 40 thick along the route in this area. These soft and expansive lake clays, deposited in the offshore environments of the former Glacial Lake Agassiz, are known to be problematic for shallow construction projects throughout the Red River Valley.

Geologic maps for this project area along with landslide maps and data for the entire state can be found on our website for site specific review at: <https://www.dmr.nd.gov/ndgs/surfacegeo/>

Please feel free to contact our offices at anytime if there are any additional questions or geological information needs regarding this project.

Regards,

**Fred J. Anderson**

*Geologist, North Dakota Geological Survey*

701.328.8000 (Survey Main Office) • 701.328.8037 (Office Direct) • [fjanderson@nd.gov](mailto:fjanderson@nd.gov) • [www.dmr.nd.gov/ndgs](http://www.dmr.nd.gov/ndgs)



701.328.8020 (Front Office) • [oilandgasinfo@nd.gov](mailto:oilandgasinfo@nd.gov) • [www.dmr.nd.gov](http://www.dmr.nd.gov) • 600 E Boulevard Ave, Dept. 405 • Bismarck, ND 58505

# Surface Geology

## Grand Forks Quadrangle, North Dakota

Fred J. Anderson

2005

### EXPLANATION

**N-D** No Data

### QUATERNARY SYSTEM

#### HOLOCENE

##### OAHE FORMATION

**Halr** Red River Alluvium

Channel alluvium reworked and deposited by the Red River during recent flow and flooding events. Consists of gray bedded sands, silts, gravels, and clays. Constrained to areas within the Red River floodplain and along adjacent tributary drainages. Prone to slope failure and cutbank erosion.

#### PLEISTOCENE

**Qro** River Sediment (Overbank)

Clay, silt, sand, and disseminated organic debris, obscurely bedded; dark colored; in many places associated with sand and gravel of older river channel sediment; commonly more than a meter (3 feet) thick. Deposited on ancient rivers on the Lake Agassiz Plain.

#### COLEHARBOR GROUP

**Qs** SHERACK FORMATION

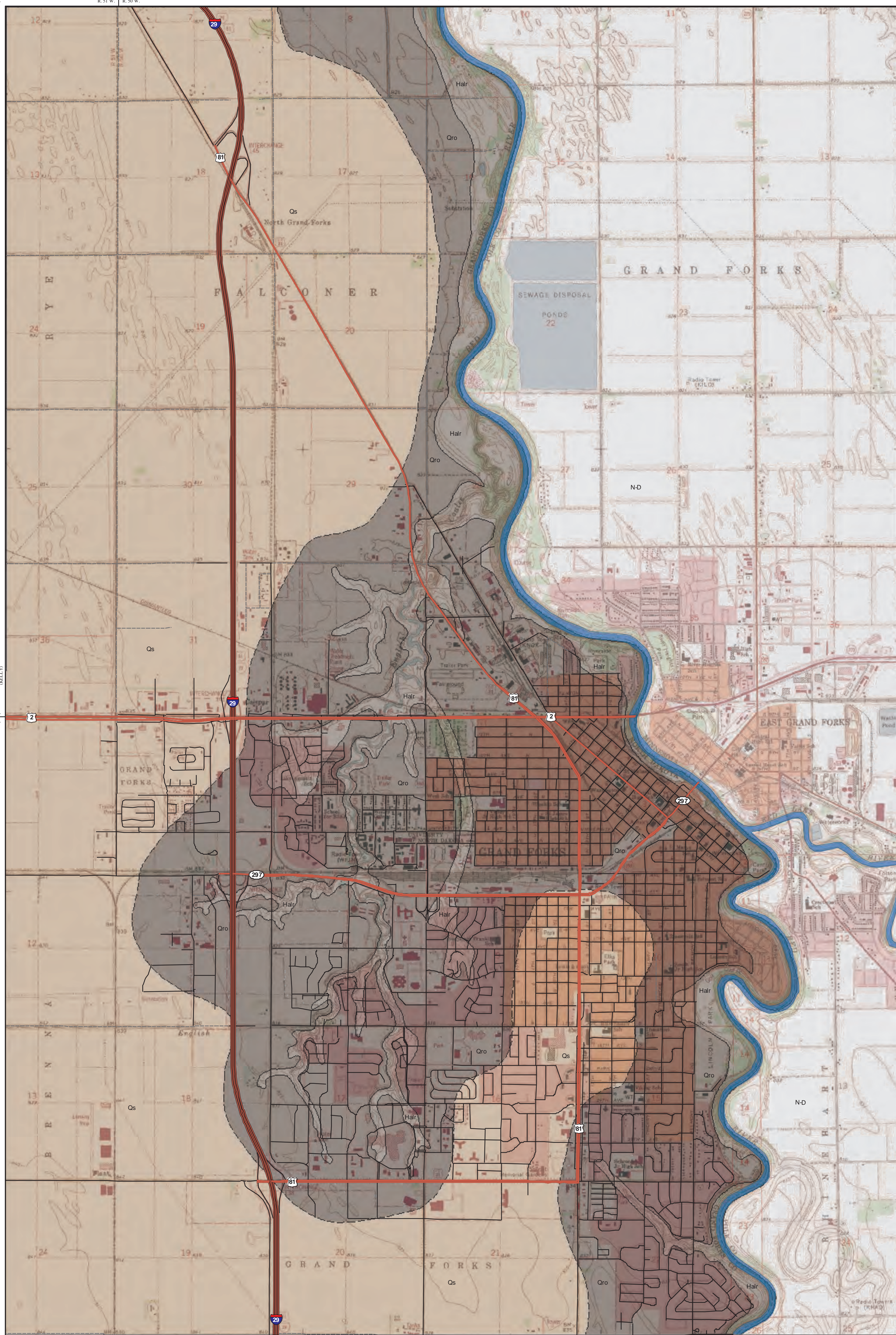
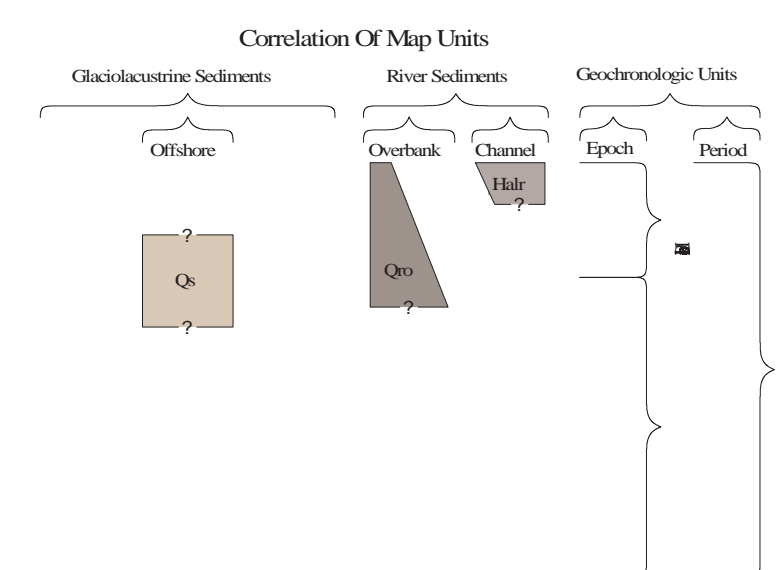
Glaciolacustrine, yellow gray, thinly laminated silt, clay, and silty clay. Generally the most ubiquitous surface lithostratigraphic unit within the quadrangle. Deposited as offshore sediments of Glacial Lake Agassiz. Commonly more than 25 feet thick.

### Geologic Symbols

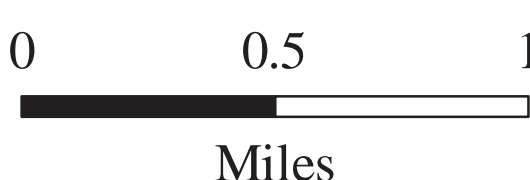
- Known contact between two geologic units
- - - Approximate contact between two geologic units

### Other Features

- Water
- Interstate Highway
- US Highway
- State Highway
- Paved Road
- Unpaved Road

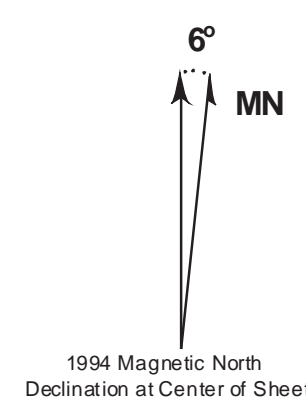


Scale 1:24,000

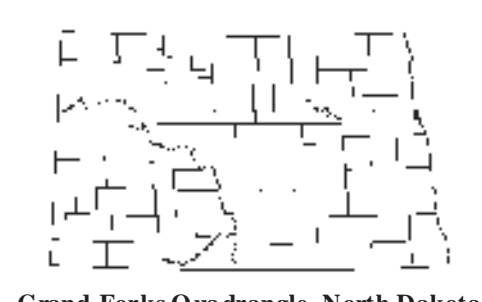


Miles

Lambert Conformal Conic Projection 1927 North American Datum  
Standard Parallel 47° 52' 30" and 48° 00' 00" NGVD 1929  
Contour Interval 5 Feet



This geologic map was funded in part by the USGS National Cooperative Geologic Mapping Program.



Grand Forks Quadrangle, North Dakota