



December 15, 2023

VIA HAND DELIVERY

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

Re: Basin Electric Power Cooperative, Roundup to Kummer Ridge 345-kV transmission facility siting application

Dear Mr. Kahl:

Enclosed please find an original and six (6) copies of Basin Electric Power Cooperative's Consolidated Application for a Certificate of Corridor Compatibility and Route Permit for the Roundup to Kummer Ridge 345-kV transmission facility. A USB flash drive containing the application in electronic format and corresponding newspaper map has also been included. Shapefiles will be submitted early next week. A check for the application filing fee of \$100,000 as well as a check for \$14,800 for administrative fees are also enclosed.

For inquiries regarding the application, please contact Ms. Erin Fox Dukart, Director, Environmental Services, at edukart@becp.com or at (701) 557-5557 with copy to Ms. Anine Merkens, Senior Staff Counsel, at amerkens@becp.com or (701) 557-5080. If preferable, correspondence can be sent to their physical address of 1717 East Interstate Avenue, Bismarck, ND 58503.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Brickhouse".

Todd Brickhouse
Interim CEO & General Manager

Enclosures

cc: Erin Fox Dukart, Bobby Nasset, Anine Merkens, Ryan King

1 PU-23-361 Filed 12/15/2023 Pages: 654
Consolidated Application for a Certificate of Corridor Compatibility and Route Permit - Redacted
Basin Electric Power Cooperative
Todd Brickhouse, Interim CEO & Gen. Mgr.

Consolidated Application to the North Dakota Public Service Commission for a Certificate of Corridor Compatibility and Route Permit

Roundup to Kummer Ridge 345-kV Transmission Project Basin Electric Power Cooperative Dunn and McKenzie Counties, North Dakota

Prepared for:

Basin Electric Power Cooperative
1717 East Interstate Avenue
Bismarck, North Dakota 58503



**BASIN ELECTRIC
POWER COOPERATIVE**

A Touchstone Energy® Cooperative



Prepared by:

Western Ecosystems Technology, Inc.
4007 State Street, Suite 109
Bismarck, North Dakota 58503



December 2023

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1.0 INTRODUCTION

Pursuant to North Dakota Century Code (NDCC) Section 49-22-08.2, Basin Electric Power Cooperative (BEPC) submits this consolidated application for a North Dakota Public Service Commission (Commission) Certificate of Corridor Compatibility (Certificate) and Transmission Facility Route Permit (Route Permit) to construct the Roundup to Kummer Ridge 345-kilovolt (kV) Transmission Line Project (Project) in Dunn and McKenzie counties, North Dakota.

BEPC is an electric power generation and transmission cooperative, headquartered in Bismarck, North Dakota. BEPC generates and transmits wholesale electricity to 141-member rural electric cooperatives located in a 9-state service area, serving three million customers on their respective systems. McKenzie Electric Cooperative is the local electric cooperative that depends upon affordable and reliable power from BEPC to serve their customers' power needs.

The Southwest Power Pool Inc. (SPP) is the regional transmission organization that administers bulk electric transmission system reliability upgrades and generation interconnections. BEPC received a Notification to Construct Approved Reliability Network upgrades notice in July 2022 from SPP. BEPC is the designated transmission owner for the upgrade, which includes an approximately 32.5-mile-long transmission line from the existing Kummer Ridge Substation to the existing Roundup Substation (**Figure 1**).

The need for an additional 345-kV transmission line is due to load growth in the area. As electric load continues to develop in the region between Killdeer and Johnsons Corner, North Dakota, and the Fort Berthold Indian Reservation (FBIR), the existing transmission network is unable to maintain loading and voltage criteria during contingency events. The Project is required to meet reliability standards and projected electrical demands. The addition of this transmission line will allow continued reliable operation of the transmission system to accommodate additional load growth in the region. The Project would provide more reliable service to electric cooperative customers, as well as diversify power resources on the larger transmission system. The total cost of the Project is estimated to be \$74 million. Project maps and figures are included in **Appendix A**.

The Kummer Ridge substation is currently served by a single radial 345-kV circuit (Patent Gate to Kummer Ridge). An outage or loss of this circuit would result in large through-flow on the existing Western Area Power Administration 230-kV system and other facilities, which creates severe voltage constraints on the local electric system. Loss of the circuit would likely result in outages or load shedding. The addition of the Project circuit increases the load serving capability and provides critical transmission redundancy.

1.1 Compliance with the Energy Conversion and Transmission Facility Siting Act

The North Dakota Energy Conversion and Transmission Facility Siting Act requires an application for a Certificate to meet the criteria set forth in NDCC Section 49-22 and the North Dakota Administrative Code (NDAC) Article 69-06. The siting of a transmission facility is to be made in an orderly manner compatible with environmental preservation and the efficient use of resources (NDCC Section 49-22-02).

BEPC will comply with the exclusion and avoidance areas and selection and policy criteria set forth in NDAC Section 69-06-08-02 in the design of the Project and has provided information on such areas in this application. In addition, sufficient Project design and technical information have been provided for a thorough evaluation. **Table 1** outlines the requirements to fulfill a Certificate and Route Permit application and the application section that addresses the requirement.

Roundup to Kummer Ridge 345-kV Transmission Project
 Certificate of Corridor Compatibility and Route Permit

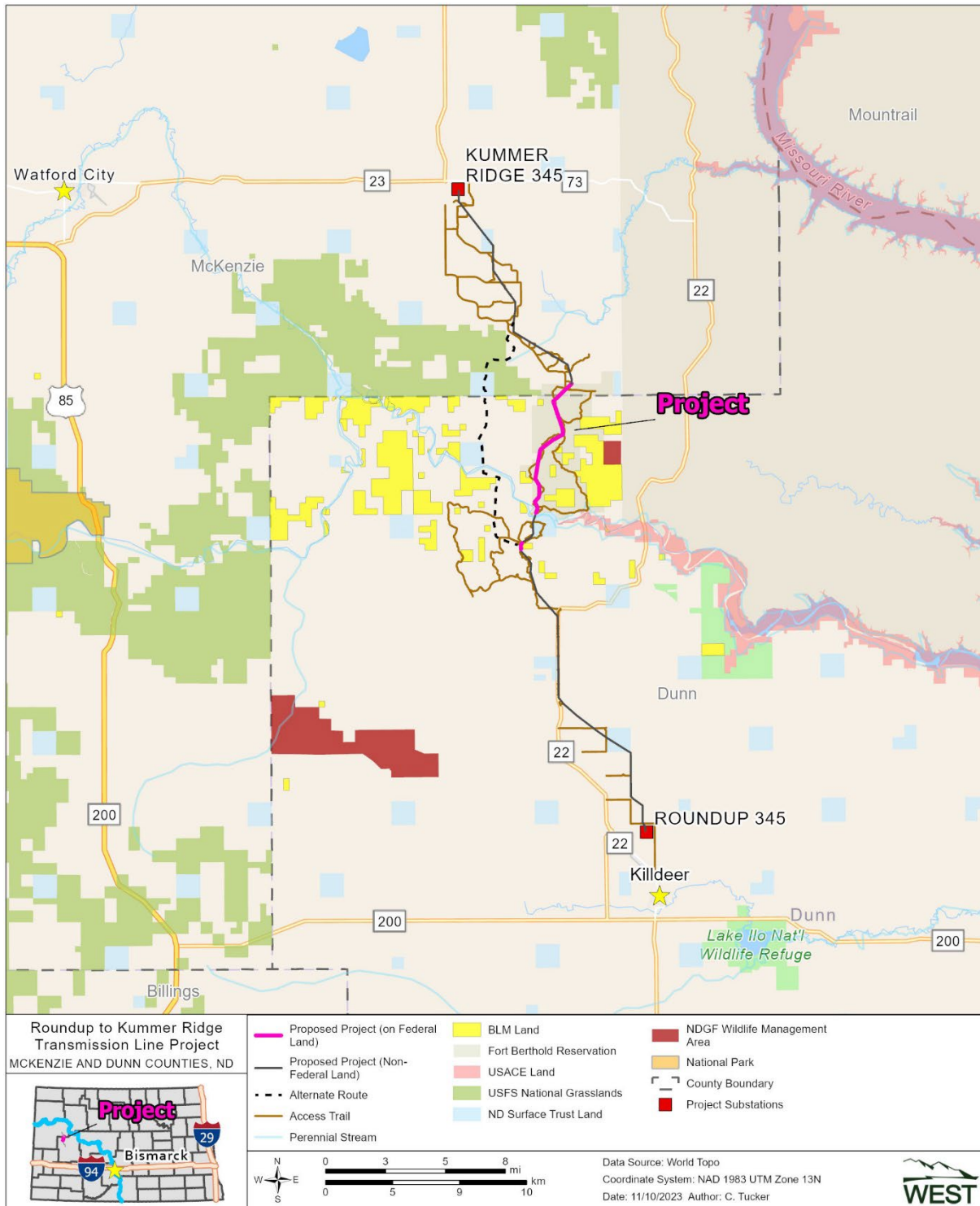


Figure 1. General Location

Roundup to Kummer Ridge 345-kV Transmission Project
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Table 1. Certificate of Corridor Compatibility and Route Permit Criteria Checklist

Description		Section(s) Addressed
NDAC 69-06-05-01 - Transmission Facility Permit		
Subsection 2 – Contents		
a.	A description of the following:	
a. (1)	The type of facility proposed	1.0, 2.1, 4.1.1, 4.1.2, 4.1.3
a. (2)	Purpose of the facility	1.0, 1.7, 2.1
a. (3)	The technology to be used	1.0, 4.1.1, 4.1.2, 4.1.3
a. (4)	The type of product to be transmitted	1.0, 4.1.1, 4.1.2
a. (5)	The source of the product to be transmitted	1.0, 1.3, 2.1
a. (6)	The final destination of the transmission line	1.0, 1.3, 2.1
a. (7)	The proposed size and design and any alternate size or design that was considered, including: (a) The width of right-of-way; (b) The approximate length of the facility; (c) The estimated span length for electric facilities; (d) The anticipated type of structure for electric facilities; (e) The voltage for electric facilities; and (f) The requirement for and location of any new associated facilities	1.2, 1.3, 3.6, 4.1.1, 4.1.2
b.	The anticipated time schedule for accomplishing major events, including: (1) Obtaining the certification of corridor compatibility; (2) Obtaining the route permit; (3) Completing right-of-way acquisition; (4) Starting construction; (5) Completing construction; (6) Testing operations; and (7) Commencing operations.	1.5
c.	A copy of each evaluative study or assessment of the environmental impact of the proposed facility submitted to the agencies listed in Section 69-06-01-05 and each response received.	6.0, Appendix D Appendix F Appendix G
d.	An analysis of the need for the proposed facility based on present and projected demand for the product transmitted, including the most recent system studies supporting the analysis of the need.	1.0, 2.1
e.	A description of any feasible alternative methods for serving the need	2.2
f.	The width of a corridor must be at least 10% of its length, but not less than one mile or greater than six miles unless another appropriate width is determined by the commission.	1.2
g.	A study area that includes a proposed corridor of sufficient width to enable the commission to evaluate the factors addressed in North Dakota Century Code section 49-22-09.	1.2, 1.3
h.	A discussion of the factors in North Dakota Century Code section 49-22-09 to aid the commission's evaluation of the proposed route.	3.5
i.	A discussion of the applicant's policies and commitments to limit the environmental impact of its facilities, including copies of board resolutions and management directives.	4.9, Appendix C
j.	Identification and map of the criteria that led to the proposed route location within the designated corridor, including exclusion areas, avoidance areas, selection criteria, policy criteria, design construction limitations, and economic considerations.	3.1, 3.2, 3.3, 3.4, 4.1.1, 4.1.2, 4.1.3, 5.1, Appendix A
k.	A discussion of the relative value of each criterion and how the applicant selected the proposed corridor location, considering all criteria and how the location, construction, and operation of the facility will affect each criterion.	1.3, 3.1, 3.2, 3.3, 3.4, 5.1.2, 5.2.2, 5.3.2, 5.4.2, 5.5.2, 5.6.2, 5.7.2, 5.8.2
l.	A discussion of the general mitigative measures that the applicant will take to minimize adverse impacts that result from a route location in the proposed corridor and the construction and operation of the facility.	4.10, 4.11, 5.1.2, 5.2.2, 5.3.2, 5.4.2, 5.5.2, 5.6.2, 5.7.2, 5.8.2
m.	Qualifications of each person involved in the corridor location study.	8.0
n.	A map identifying the criteria that led to the proposed route location within the designated corridor and the location of any new associated facilities. Several different criteria may be shown on each map depending on the map scale and the density and nature of the criteria.	Appendix A
o.	An 8.5-inch by 11-inch black and white map suitable for newspaper publication depicting the site area	Electronically submitted

Roundup to Kummer Ridge 345-kV Transmission Project
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Description		Section(s) Addressed
p.	A discussion of present and future natural resource development in the area	3.1, 3.2, 3.3, 3.4, 4.1.1, 4.1.2, 4.1.3, 5.1
q.	Map and GIS requirements. The applicant shall provide information that is complete, current, presented clearly and concisely, and supported by appropriate references to technical and other written material available to the commission.	Electronically submitted
NDAC 69-06-08-02 - Transmission Facility Corridor and Route Criteria		
The following criteria must guide and govern the preparation of the inventory of exclusion and avoidance areas, and the corridor and route suitability evaluation process:		
1.	Exclusion Areas	3.1, Appendix A
2.	Avoidance Areas	3.2, Appendix A
3.	Selection Criteria	3.3
4.	Policy Criteria	3.4
NDCC 49-22-08 - Application for a certificate - Notice of filing - Amendment - Designation of a site or corridor.		
Section 1 - An application for a certificate must be in such form as the commission may prescribe, containing the following information:		
a.	A description of the size and type of facility.	1.0, 2.1, 4.1.1, 4.1.2, 4.1.3
b.	A summary of any studies which have been made of the environmental impact of the facility.	5.4, 5.7, 5.8, Appendix D, Appendix F,
c.	A statement explaining the need for the facility.	1.0, 1.7, 2.1
d.	An identification of the location of the preferred site for any electric energy conversion facility	1.0, 1.3, 2.1
e.	An identification of the location of the preferred corridor for any electric transmission facility	1.0, 1.3, 2.1
f.	A description of the merits and detriments of any location identified and a comprehensive analysis with supporting data showing the reasons why the preferred location is best suited for the facility	5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7 5.8
g.	A description of mitigative measures that will be taken to minimize all foreseen adverse impacts resulting from the location, construction, and operation of the proposed facility	4.10, 4.11, 5.1.2, 5.2.2, 5.3.2, 5.4.2, 5.5.2, 5.6.2, 5.7.2, 5.8.2
h.	An evaluation of the proposed site or corridor regarding the applicable considerations set out in Section 49-22-09 and the criteria established pursuant to Section 49-22-05.1.	3.5
i.	Such other information as the applicant may consider relevant or the commission may require.	3.7
NDCC 49-22-08.1 - Application for a permit - Notice of filing - Amendment - Designation of a route.		
Section 1 - An application for a route permit for a transmission facility within a designated corridor shall be filed no later than two years after the issuance of the certificate and shall be in such form as the commission may prescribe, containing the following information:		
a.	A description of the type, size, and design of the proposed facility.	1.0, 2.1, 4.1.1, 4.1.2, 4.1.3
b.	A description of the location of the proposed facility.	1.0, 1.3, 2.1
c.	An evaluation of the proposed route regarding the applicable considerations set out in Section 49-22-09 and the criteria established pursuant to Section 49-22-05.1.	3.5
d.	A description of mitigative measures that will be taken to minimize all foreseen adverse impacts resulting from the location, construction, and operation of the proposed facility.	4.10, 4.11, 5.1.2, 5.2.2, 5.3.2, 5.4.2, 5.5.2, 5.6.2, 5.7.2, 5.8.2
e.	A description of the right-of-way preparation and construction and reclamation procedures.	4.5, 4.7, 4.10
f.	A statement setting forth the manner in which: (1) The utility will inform affected landowners of easement acquisition, and necessary easement conditions and restrictions. (2) The utility will compensate landowners for easements, without reference to the actual consideration to be paid.	1.4, 4.5
g.	Such other information as the utility may consider relevant or the commission may require.	3.7
NDCC 49-22-09 - Factors to be considered in evaluating applications and designation of sites, corridors, and routes.		
Section 1 - The commission shall be guided by, but is not limited to, the following considerations, where applicable, to aid the evaluation and designation of sites, corridors, and routes:		

Roundup to Kummer Ridge 345-kV Transmission Project
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Description		Section(s) Addressed
a.	Available research and investigations relating to the effects of the location, construction, and operation of the proposed facility on public health and welfare, natural resources, and the environment.	5.0, Appendix A, Appendix D, Appendix F, Appendix G
b.	The effects of new energy conversion and transmission technologies and systems designed to minimize adverse environmental effects.	5.8.2
c.	The potential for beneficial uses of waste energy from a proposed energy conversion facility.	NA
d.	Adverse direct and indirect environmental effects which cannot be avoided should the proposed site or route be designated.	5.0
e.	Alternatives to the proposed site, corridor, or route which are developed during the hearing process, and which minimize adverse effects.	2.2, 5.0, Appendix A, Appendix D, Appendix F, Appendix G
f.	Irreversible and irretrievable commitments of natural resources should the proposed site, corridor, or route be designated.	5.8.2
g.	The direct and indirect economic impacts of the proposed facility.	5.1
h.	Existing plans of the state, local government, and private entities for other developments at or in the vicinity of the proposed site, corridor, or route.	5.0
i.	The effect of the proposed site or route on existing scenic areas, historic sites and structures, and paleontological or archaeological sites.	5.0, Appendix D, Appendix D
j.	The effect of the proposed site or route on areas which are unique because of biological wealth or because they are habitats for rare and endangered species.	5.8.2
k.	Problems raised by federal agencies, other state agencies, and local entities.	NA

1.2 Project Terms

Terms used in this application associated with the Project are defined in **Table 2**.

Table 2. Project Terms

Term	Definition/Description
Project Route	In accordance with NDCC Section 49-22-03(11), "Route" is defined as the location of an electric transmission facility within a designated corridor. The Project Route is approximately 32.5 miles long.
Project Corridor	The Project Corridor is 150–350 feet wide, which is the easement size that will be used for construction and maintenance of the life of the Project. The Project Corridor encompasses the Project Route.
Study Area	The Study Area analyzed for the Project is one-mile wide (0.5 mile on either side of the Project Route) and encompasses approximately 21,575.7 acres. ¹

¹ North Dakota Administrative Code (NDAC) 69-06-05-01(2)(f) states that the "width of the corridor must be at least 10% of its length, but not less than one mile or greater than six miles unless another appropriate width is determined by the Commission." BEPC proposes a 1-mile-wide Study Area, with a 150–350-foot-wide Project Corridor, the combination of which is sufficient for the Commission to evaluate the factors addressed in NDAC 49-22-09.

1.3 Project Location

The Project is located in Dunn and McKenzie counties in northwestern North Dakota, a primarily rural, agricultural area starting approximately 2.8 miles north of Killdeer (Roundup Substation) and ending 0.7 miles southeast of Johnsons Corner (Kummer Ridge Substation). The Project runs in a south-north direction and is approximately 32.5 miles long. The Project Route, Project Corridor, and Study Area are entirely within Dunn and McKenzie counties, North Dakota. **Table 3** shows the Township, Range, and Sections of the Project Route and Project Corridor. **Table 4** shows the Township, Range, and Sections of the Study Area.

Table 3. Project Route and Project Corridor Public Legal Description

County	Township	Range	Sections ¹
Dunn	145 N	95 W	3
	146 N	95 W	6, 7, 8, 16 ³ , 17, 21, 22, 27, 34
	147 N	95 W	19, 30, 31
	147 N	96 W	2 ⁴ , 11, 12, 13, 24
	148 N	95 W	6 ² , 7 ²
	148 N	96 W	1 ² , 12 ² , 13 ² , 24 ² , 25 ² , 35, 36 ³
McKenzie	149 N	95 W	6, 7, 18, 19, 20, 27, 28, 29, 33 ² , 34 ²
	149 N	96 W	1
	150 N	96 W	23, 25, 26, 36 ²

¹ Note that locations within the Project Route and Project Corridor do not encompass the entire Section.

² Section contains land managed by the Fort Berthold Indian Reservation.

³ Section contains land managed by the North Dakota State Land Trust.

⁴ Section contains land managed by the Bureau of Land Management.

Table 4. Study Area Legal Description

County	Township	Range	Sections ¹
Dunn	145 N	95 W	2, 3, 4
	146 N	95 W	6, 7, 8, 9, 15, 16 ³ , 17, 18, 21, 22, 27, 28, 33, 34, 35
	146 N	96 W	1, 12
	147 N	95 W	18, 19, 30, 31
	147 N	96 W	1, 2, 3, 11, 12, 13, 14, 24, 25, 36 ³
	148 N	95 W	6 ² , 7 ^{2,4} , 18 ^{2,4}
	148 N	96 W	1 ^{2,4} , 11, 12 ² , 13 ² , 14, 23 ^{2,4} , 24 ² , 25 ^{2,4} , 26 ⁴ , 35, 36 ³
McKenzie	149 N	95 W	6, 7, 8, 17, 18, 19, 20, 21, 27, 28, 29, 33 ² , 34 ²
	149 N	96 W	1, 12
	150 N	95 W	30, 31
	150 N	96 W	14, 23, 24, 25, 26, 35, 36 ³

¹ Note that locations within the Study Area do not encompass the entire Section.

² Section contains land managed by the Fort Berthold Indian Reservation.

³ Section contains land managed by the North Dakota State Land Trust.

⁴ Section contains land managed by the Bureau of Land Management.

The Project includes 6.46 miles of overhead transmission line on Tribal Trust lands of the FBIR and 0.25 miles of overhead transmission line on Bureau of Land Management (BLM) land (**Figure 2**). Additionally, approximately two miles are located on North Dakota Department of Trust Lands (NDDTL) School Trust Lands. **Table 4** shows the Township, Range, and Sections of the Study Area on these lands. **Figure 2** depicts affected Tribal Trust lands and BLM lands.

1.4 Easement Acquisition

There are a total of 30 landowners within the Project Corridor. BEPC is in the process of securing easement agreements over the required parcels for the Project. As of November 2023, approximately 83% of landowner easements have been secured.

Roundup to Kummer Ridge 345-kV Transmission Project
 Certificate of Corridor Compatibility and Route Permit

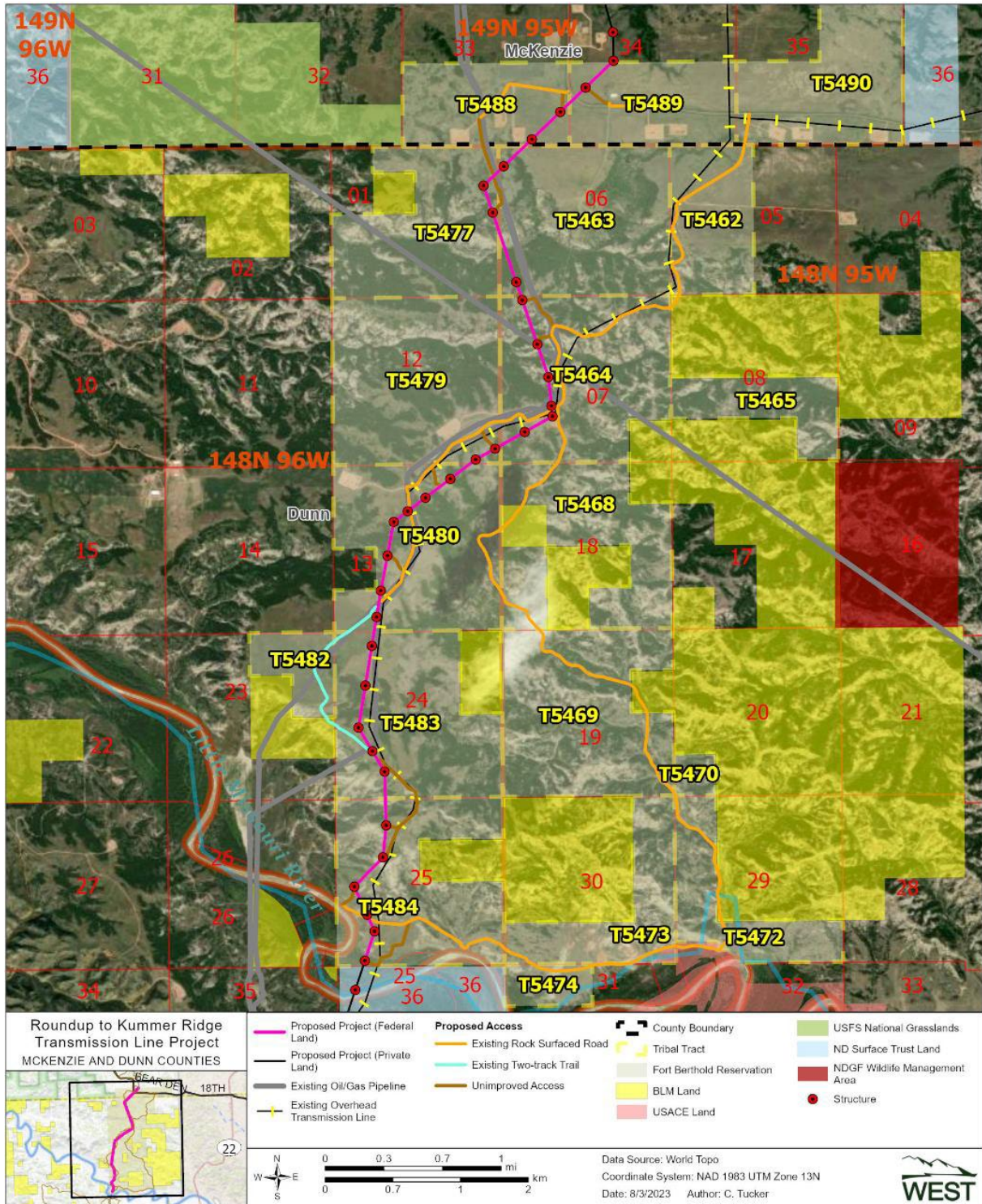


Figure 2. Affected Tribal Trust and Bureau of Land Management (BLM) Land

Roundup to Kummer Ridge 345-kV Transmission Project
 Certificate of Corridor Compatibility and Route Permit

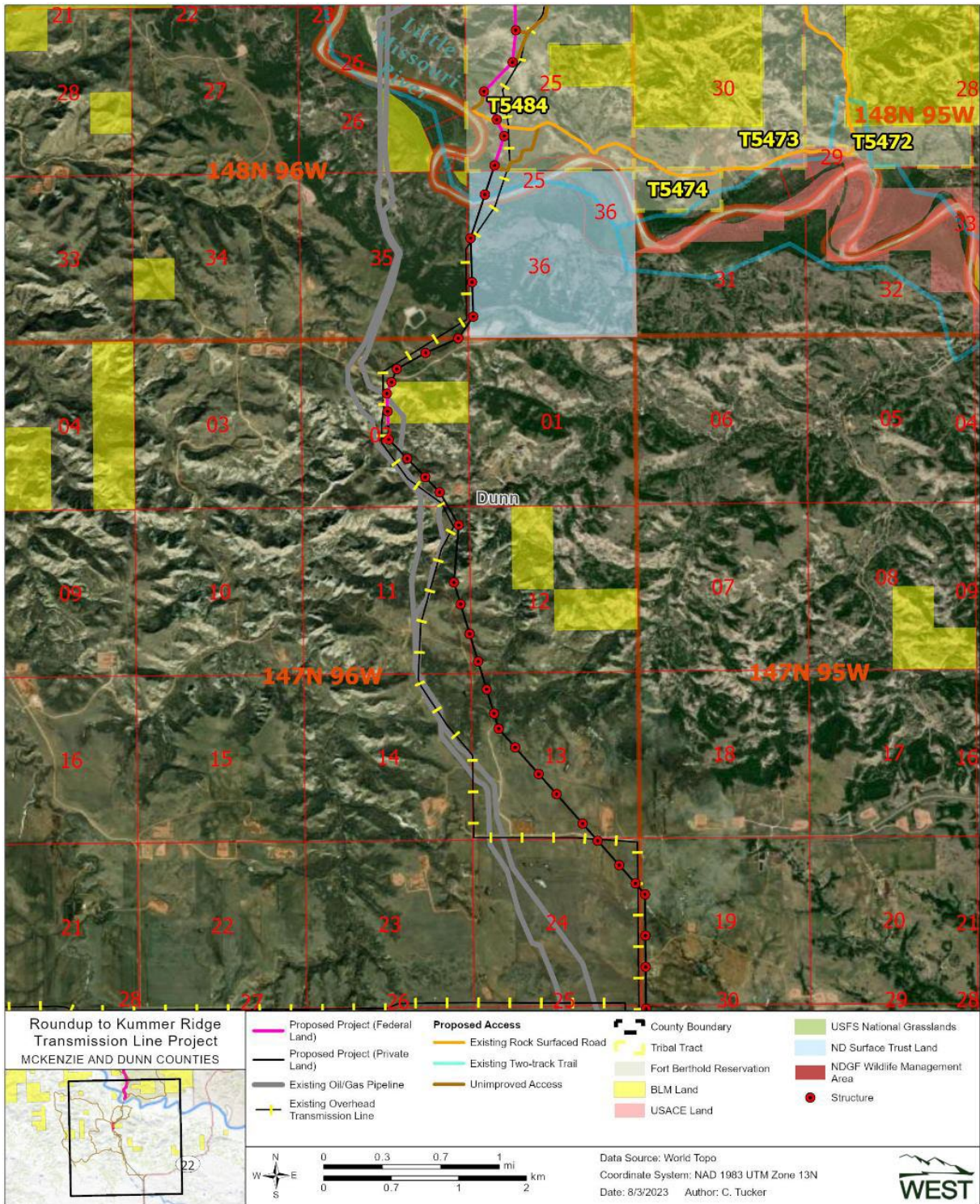


Figure 2 (continued). Affected Tribal Trust and Bureau of Land Management (BLM) Land.

1.5 Project Schedule

BEPC will commence construction in spring 2024 and be complete in early 2025. Most activities will take place during the North Dakota construction season, usually beginning in March or April and ending in November or December. Depending on Project needs, winter construction may also be utilized. Private third-party contractors will construct the transmission line and haul away construction wastes associated with the Project. BEPC will ensure that any contractors hired will be familiar with and comply with mitigation measures and any agency or permit requirements.

Key schedule milestones include:

1. **Certificate and Route Permit:** Requested by 1st Quarter 2024.
2. **Right-of-Way Acquisition:** Anticipated by 1st Quarter 2024.
3. **Equipment Procurement, Manufacture and Delivery:** Ordering of long-lead equipment is in progress.
4. **Construction:** Anticipate construction activities running approximately 16 months from March 2024 to January 2025.
5. **Test and Operations:** Anticipated by 1st Quarter 2025
6. **Commercial Operation:** Anticipated by 1st Quarter 2025.
7. **Expansions or Additions:** BEPC has no plans for expansions or additions to the Project.

1.6 Project Ownership

BEPC will own the entire transmission line and, as a result, will manage the construction of all equipment and associated facilities. BEPC will select a private third-party contractor to perform construction. The Kummer Ridge and Roundup Substations are also owned and operated by BEPC.

1.7 Future Associated Facilities

There are no proposed or future BEPC associated facilities, or upgrades or improvements associated with the Project.

2.0 NEED FOR FACILITY

2.1 Need Analysis

The Project was selected by SPP as part of the 2021 Interregional Transmission Planning process to mitigate reliability constraints and to increase load serving capability in the region. SPP is the regional transmission organization that administers bulk electric transmission system reliability upgrades and generation interconnections in this area. The proposed transmission line would be routed from an existing substation named Roundup—near Killdeer, North Dakota—to an existing substation named Kummer Ridge—near Johnson’s Corner, North Dakota.

The Kummer Ridge substation is currently served by a single radial 345-kV circuit (Patent Gate to Kummer Ridge). An outage or loss of this circuit will result in the electrical load at Kummer ridge experiencing an outage with limited ability to serve it from other sources. Additionally, the outage of the parallel circuit of Charlie Creek – Patent Gate 345 kV results in large through-flow on the existing Western Area Power Administration 230-kV system and other facilities, which creates severe loading and voltage constraints on the local electric system. Without the Roundup – Kummer Ridge 345 kV project loss of either the Charlie Creek – Patent Gate 345 kV or Patent Gate to Kummer Ridge 345 kV circuits would likely result in outages or load shedding. The addition of the Project circuit increases the load serving capability and provides critical transmission redundancy. **Figure 3** depicts the proposed Project in relation to BEPC’s regional transmission system.

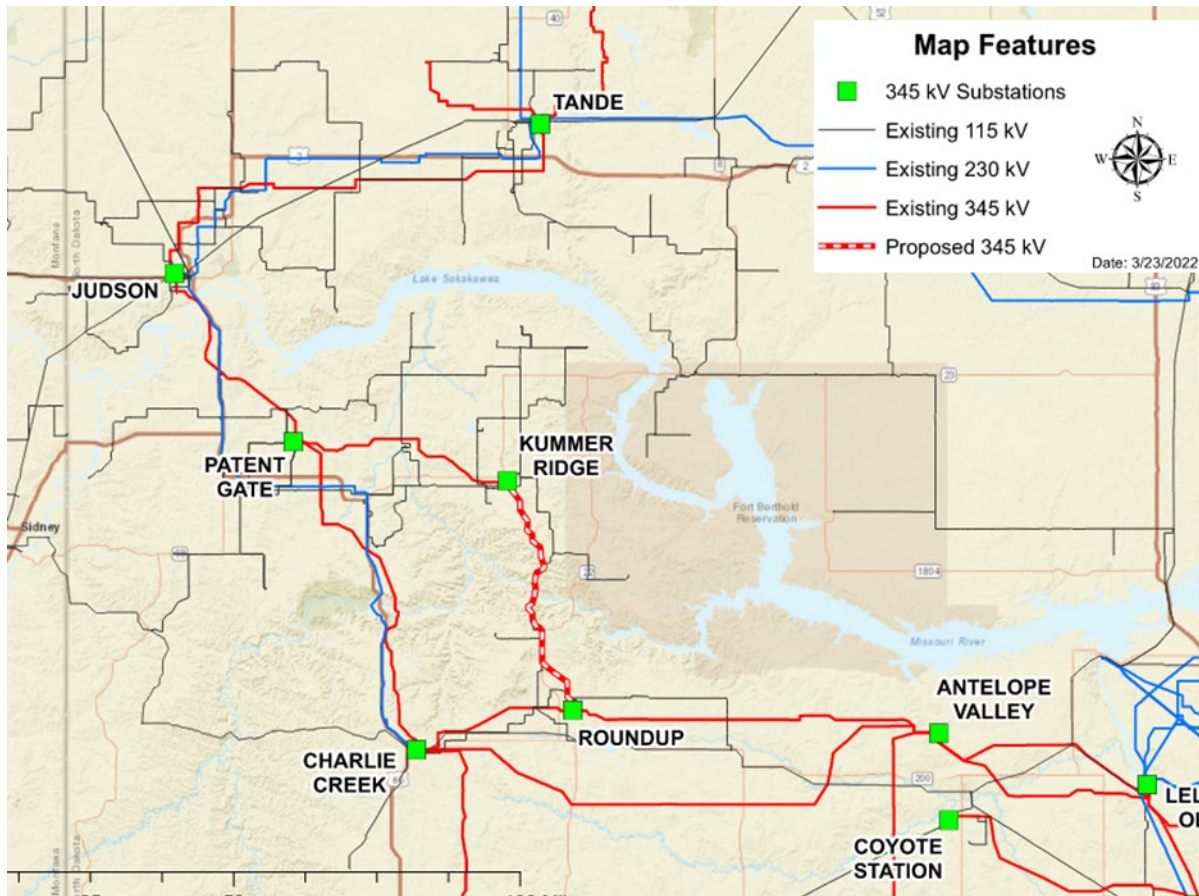


Figure 3. BEPC Regional Transmission System

In addition, the transmission system has reached its maximum load serving capability in western North Dakota. This limits further economic development that uses electricity until the transmission buildout can be finished.

2.2 Alternatives

Limited project alternatives are available to back up the radial load served from Kummer Ridge. SPP did consider a 115-kV option from Roundup-Kummer Ridge, but that project did not have the load serving capability. SPP concluded that the Project was chosen because it was the only available solution to address the reliability and load serving needs in this region.

2.2.1 No Action Alternative

Without the Roundup-Kummer Ridge 345-kV transmission line, the area will be unable to support new development that requires additional electricity, and the region will be at increased risk of power outages or forced load shedding.

2.2.2 Route or System Alternatives

BEPC evaluated several alternative routes in the area, including an option approximately three miles west of the proposed route (**Figure 4**). The Alternative Route included significant areas of unstable soil that is prone to landslides. Furthermore, the alternative required more structures and permanent impacts to the area including more vegetation clearing and ground disturbance.

The proposed route follows other existing infrastructure (i.e., pipelines, 115-kV transmission line) and can better utilize existing access routes to minimize ground disturbing activities. The selected route minimizes the construction impacts for the proposed Project and provides a safer area for construction, operation, and maintenance.

BEPC believes that the Project Route is the most viable route alternative, and the Project Route follows and is the most direct route that also minimizes impacts on the exclusion, avoidance, selection, and policy criteria identified in NDAC Section 69-06-08-02.

2.3 10-Year Plan

BEPC filed a 10-Year Plan with the Commission in July 2022. This Project is consistent with the 10-Year Plan on file with the Commission.

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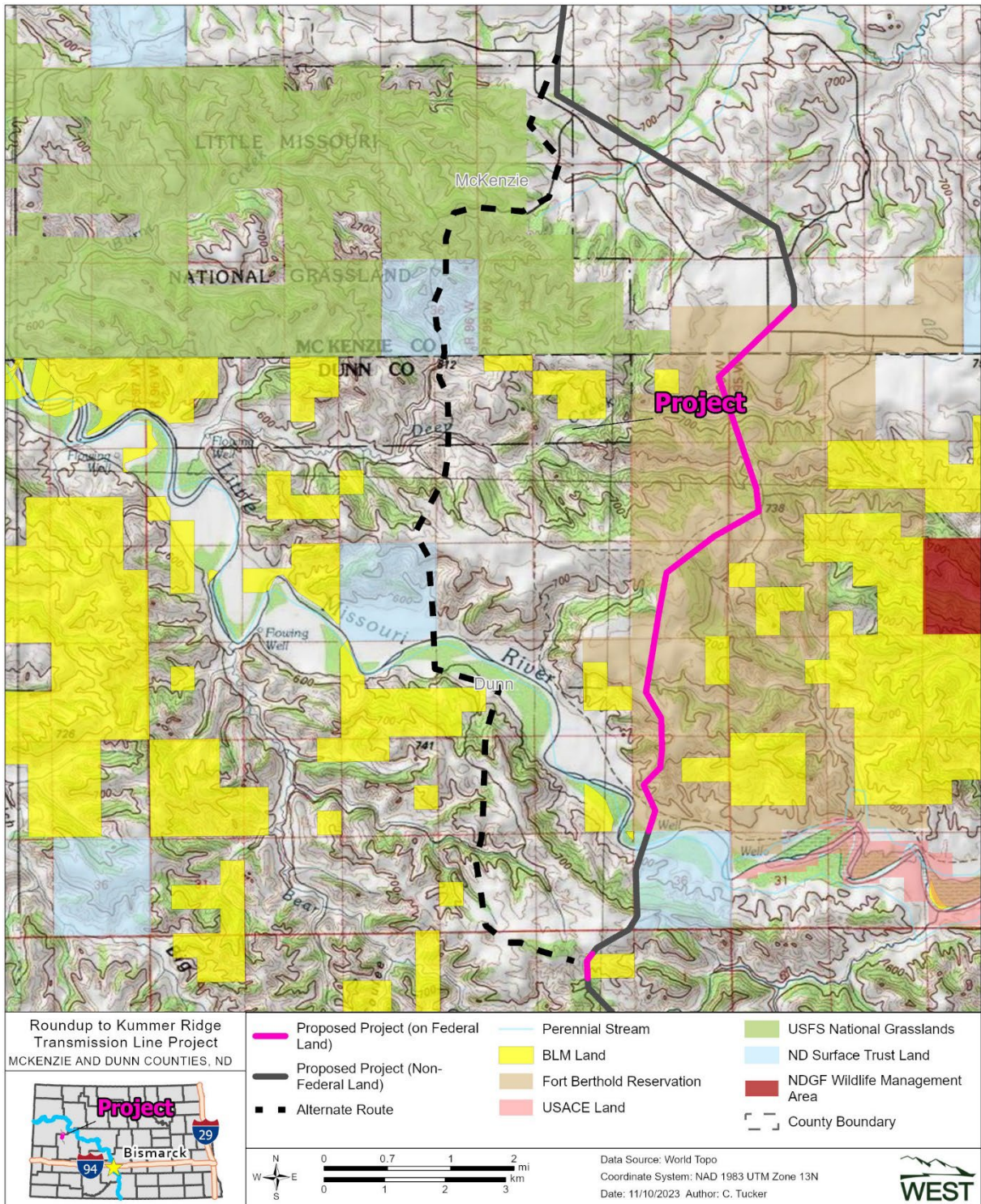


Figure 4. Alternative Route

3.0 SITE SELECTION CRITERIA

The Project Corridor is based on landowner participation, field surveys, known environmentally sensitive areas, review of Dunn and McKenzie counties and state transmission line requirements, and communications with local, state, and federal agencies. North Dakota has several site selection criteria that are considered by the Commission to determine suitability of the transmission line. BEPC has reviewed the criteria in NDAC Chapter 69-06-08 and has considered these criteria in Project design. These criteria are discussed in this section.

3.1 Exclusion Areas

In accordance with NDAC Section 69-06-08-02(1), which implements NDCC Section 49-22-05.1, the geographical areas listed in **Table 5** must be excluded in the consideration of a transmission facility route. Exclusion and avoidance areas may be located within a corridor, but at no given point can such an area or areas encompass more than 50% of the corridor width unless there is no reasonable alternative. NDAC Section 69-06-08-02 further specifies that a buffer zone of a reasonable width to protect the integrity of the area must be included. Natural screening may be considered in determining the width of the buffer zone.

Table 5. Exclusion Areas

Exclusion Area	Present in Corridor/Route	Proposed Buffer	Section Addressed
Designated or registered national: parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	NA
Designated or registered state: parks; historic sites; monuments; historical markers; archaeological sites; and nature preserves.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	5.4
County parks and recreational areas; municipal parks; and parks owned or administered by other governmental subdivisions.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	NA
Areas critical to the life stages of threatened or endangered animal or plant species.	Yes. Suitable habitat for the Dakota skipper and northern long-eared bat is present within the Corridor and Route.	BEPC will avoid Dakota skipper habitat. Tree clearing will occur within the timeframe stipulated by U.S. Fish and Wildlife Service	5.8, Appendix A Appendix F

Exclusion Area	Present in Corridor/Route	Proposed Buffer	Section Addressed
Areas where animal or plant species that are unique or rare to this state will be irreversibly damaged.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	5.8
Areas within 1,200 feet of the geographic center of an intercontinental ballistic missile (ICBM) launch or launch control facility.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	3.6 Appendix G
Areas within 30 feet on either side of a direct line between ICBM launch or launch control facilities to avoid microwave interference.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	3.6 Appendix G

3.2 Avoidance Areas

In accordance with NDAC Section 69-06-08-02(2), the geographical areas listed in **Table 6** cannot be approved as a site for routing of a transmission facility unless the applicant shows that, under the circumstances, there is no reasonable alternative. NDAC Section 69-06-08-02(2) further requires a buffer zone of a reasonable width to protect the integrity of the area. Natural screening may be considered in determining the width of the buffer zone. **Figure 3-1** depicts the avoidance areas.

Table 6. Avoidance Areas

Avoidance Areas	Present in Corridor/Route	Proposed Buffer	Section Addressed
Designated or registered national: historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	5.8, Appendix A
Designated or registered state: wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	Appendix A

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Avoidance Areas	Present in Corridor/Route	Proposed Buffer	Section Addressed
Historical resources which are not specifically designated as exclusion or avoidance areas.	Archaeological sites, as identified through a Class I Literature Review and a Class III Cultural Resources Inventory are present in the Project Corridor.	Avoidance strategies have been developed for all potentially eligible or unevaluated sites along the Project Corridor and in most cases involve placing protective fencing around site features during construction. Additional avoidance measures are outlined in Table 5-4.	5.4 Appendix D
Areas which are geologically unstable.	Yes. BEPC believes that the Project Route is the most viable route alternative and is the most direct route that also minimizes impacts on the exclusion, avoidance, selection, and policy criteria identified in NDAC Section 69-06-08-02.	Minimal impacts are anticipated, and no buffer is proposed.	4.2, 5.6, Appendix A
Within 500 feet of a residence, school, or place of business.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	3.6 Appendix A
Reservoirs and municipal water supplies.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	Appendix A
Water sources for organized rural water districts.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	NA
Irrigated land.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	NA

Avoidance Areas	Present in Corridor/Route	Proposed Buffer	Section Addressed
Areas of recreational significance which are not designated as exclusion areas.	Not present within Corridor/Route.	No impacts are anticipated, and no buffer is proposed.	5.5

3.3 Selection Criteria

In accordance with NDAC Section 69-06-08-02(3), a site can be approved in an area only when the applicant demonstrates to the Commission that any significant adverse effects resulting from the location, construction, and operation of the facility in that area, as they relate to the criteria listed in **Table 7**, will be at an acceptable minimum, or that those effects will be managed and maintained at an acceptable minimum.

Table 7. Selection Criteria

Selection Criteria	Potential Effects	Section Addressed
The impact upon agriculture:		
Agricultural production.	Negligible/minimal effect anticipated. Where practical, construction activities will be scheduled during periods when agricultural activities will be minimally affected, or the landowner will be compensated accordingly. Landowners would be compensated for crop and forage loss that occurs because of construction and maintenance activities, and damage to soils would be redressed.	5.1, 5.5
Family farms and ranches.	Negligible/minimal effect anticipated. Transmission lines are a compatible use with existing family farms and ranches, and the Project will not displace any farms or ranches.	5.1, 5.5
Land which the owner demonstrates has soil, topography, drainage, and an available water supply that cause the land to be economically suitable for irrigation.	There is no known irrigation within the Study Area, and, thus, no effects are anticipated. Participating landowners have not expressed concerns related to economically suitable irrigation on their land	NA
Surface drainage patterns and ground water flow patterns.	No impacts to surface drainage patterns or groundwater flow patterns are anticipated. The Project will be designed in such a manner that runoff from the upper portions of the watershed can flow unrestricted to the lower portion of the watershed.	5.7
The impact upon:		
Sound-sensitive land uses.	Negligible/minimal effect anticipated. Following construction, there will be a minimal amount of sound from the Project because of corona effects, which occur when air molecules near conducting wire are ionized due to changes in the electric field intensity at the conductor surface. The sound is most noticeable when conductors are wet because of precipitation.	5.3

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Selection Criteria	Potential Effects	Section Addressed
The visual effect on the adjacent area.	Negligible/minimal effect anticipated. The Project will be visible to landowners and travelers along roadways. Existing transmission lines, oil and gas well pads, and roads are present in the viewshed.	Appendix A
Extractive and storage resources.	The Project would not directly affect any wells or drill rigs, because the Corridor/Route has been designed to avoid these areas and provide sufficient clearance for well maintenance and operation	NA
Wetlands, woodlands, and wooded areas.	Negligible/minimal effect anticipated. The Project will avoid direct impacts to all wetlands. Trees/shrubs will be replaced consistent with the Commission's Tree and Shrub Mitigation Specifications.	5.5, 5.7
Radio and television reception, and other communication or electronic control facilities.	No effect anticipated.	5.2
Human health and safety.	No effect anticipated based on compliance with sound standards and design and construction standards to meet or exceed the National Electrical Safety Code. Regular maintenance and inspections will be performed during the life of the Project to confirm its continued integrity.	5.3
Animal health and safety.	No effect anticipated. Construction work will be coordinated with landowners to avoid impacts to livestock. BEPC is committed to mitigating potential impacts to wildlife as outlined in Section 5.8.	5.8
Plant life.	Negligible/minimal effect anticipated. The transmission line structures will result in less than one acre of permanent ground disturbance, including loss of the existing plant life. Trees and shrubs will be replaced consistent with the Commission's Tree and Shrub Mitigation Specifications. Temporarily disturbed areas will be restored as practicable.	5.5

3.4 Policy Criteria

In accordance with NDAC Section 69-06-08-02(4), the Commission may give preference to an applicant that will maximize benefits that result from the adoption of the policies and practices listed in **Table 8** and may require the adoption of such policies and practices as appropriate.

Table 8. Policy Criteria

Policy Criteria	Potential Benefits	Section Addressed
Location and design.	The location is based on landowner participation, field surveys, known environmentally sensitive areas, and review of County and State transmission line requirements. Project design will meet the requirements of the National Electrical Safety Code for the Heavy Loading District, BEPC, U.S. Department of Agriculture Rural Utilities Service design criteria, and other applicable local or national building codes.	1.4, 1.5, 3.1, 3.2, 3.6, 3.7, 4.0, 5.0, 6.0

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Policy Criteria	Potential Benefits	Section Addressed
Training and utilization of available labor in this state for the general and specialized skills required.	BEPC has utilized several local firms in developing the Project and compiling this application and will continue to use local labor to the extent practicable.	5.1
Economies of construction and operation.	BEPC will utilize local contractors to the extent practicable.	5.1
Use of citizen coordinating committees.	Not applicable.	NA
A commitment of a portion of the transmitted product for use in this state.	The Project will meet the need for additional electric transmission capacity in western North Dakota because of increased load growth and will meet reliability and system stability requirements for the region.	1.0, 2.1
Labor relations.	No labor relations would be negatively affected by the Project.	NA
The coordination of facilities.	Existing facilities were considered in the location of the Project. Interconnections to the local 115-kV system would be coordinated with BEPC's local member cooperatives.	Appendix A
Monitoring of impacts.	BEPC and the contractor will employ Best Management Practices during construction to monitor soil impacts and segregate topsoil. A stormwater pollution prevention plan will be prepared for the Project.	4.2.2, 4.9, 4.10, 5.6
Utilization of existing and proposed rights-of-way and corridors	BEPC has routed the Project parallel to existing roadways, transmission/distribution lines, and section lines to the extent practicable.	Appendix A
Other existing or proposed transmission facilities.	BEPC has paralleled the Project with existing utility corridors as practicable.	Appendix A

3.5 Factors to be Considered

The North Dakota Energy Conversion and Transmission Facility Siting Act NDCC Section 49-22-09 lists the factors in **Table 9** to be considered in evaluating applications and designation of sites.

Table 9. Factors to be Considered

Factors to be Considered	Evaluation	Section(s) Addressed
Available research and investigations relating to the effects of the location, construction, and operation of the proposed facility on public health and welfare, natural resources, and the environment.	Effects of the location, construction, and operation of the Project on public health and welfare, natural resources, and the environment are described in Section 5.	5.0, Appendix D, Appendix F
The effects of new energy conversion and transmission technologies and systems designed to minimize adverse environmental effects.	The Project has been designed to minimize adverse environmental effects including utilizing bird flight diverters to avoid and reduce bird mortality.	5.8.2
The potential for beneficial uses of waste energy from a proposed energy conversion facility.	Not applicable.	NA

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Factors to be Considered	Evaluation	Section(s) Addressed
Adverse direct and indirect environmental effects which cannot be avoided should the proposed site be designated.	Adverse direct and indirect environmental effects which cannot be avoided are described for each resource area in Section 5.	5.0
Alternatives to the proposed site which are developed during the hearing process, and which minimize adverse effects.	Other alternatives were considered for the Project Route. BEPC believes that the Project Route is the most viable route alternative and is the most direct route that also minimizes impacts on the exclusion, avoidance, selection, and policy criteria identified in NDAC Section 69-06-08-02.	2.2, 3.1, 3.2
Irreversible and irretrievable commitments of natural resources should the proposed site be designated.	There are few commitments of resources associated with this Project that are irreversible and irretrievable, but these include those resources primarily related to construction.	NA
The direct and indirect economic impacts of the proposed facility.	Direct and indirect economic impacts of the Project include payments for participating landowners, employment, property tax for the substation parcel, transmission line tax payment to the state of North Dakota based on mileage and voltage, and sales/use tax on materials.	5.1
Existing plans of the state, local government, and private entities for other developments at or in the vicinity of the proposed site, corridor, or route.	No conflicts are anticipated with existing state, local government, or private entities' development plans.	6.0, Appendix G
The effect of the proposed site on existing scenic areas, historic sites and structures, and paleontological or archaeological sites.	There are no designated scenic areas that will be affected by the Project. Archaeological sites will be avoided.	3.1, 3.2, 5.4, Appendix D
The effect of the proposed site on areas which are unique because of biological wealth or because they are habitats for rare and endangered species.	The effect of the Project on areas which are unique because of biological wealth or because they are habitats for rare and endangered species are described in Section 5.	3.1, 5.8 Appendix F
Problems raised by federal agencies, other state agencies, and local entities.	BEPC and its representatives contacted key local, state, and federal agencies per Section 69-06-01-05 of the NDAC for assistance in identifying concerns or issues within the Study Area.	6.0, Appendix G

3.6 Setbacks

The setbacks used in designing the Project comply with or exceed those required by the Commission. Setbacks were measured from the outermost portion of the transmission line facility to the nearest point of the applicable feature. The Project complies with or exceeds the following transmission line corridor and route criteria exclusion and avoidance areas provided in NDAC Section 69-06-08-02(1)-(2). **Table 10** and **Table 11** lists the setbacks utilized in designing the Project.

Table 10. Setback Distances as Designated by the Commission

Setback Type	Setback Distance
The geographic center of an intercontinental ballistic missile (ICBM) launch or launch control facility.	1,200 feet ¹
Areas on either side of a direct line between ICBM launch or launch control facilities to avoid microwave interference.	30 feet
Residence, school, or place of business.	500 feet ²

¹ The nearest ICBM launch or launch control facility is approximately three miles (15,600 feet).

² Per NDCC 49-22-05.1(2), a residence setback may be waived in writing by the owner of the residence.

Table 11. Setback Distances as Designated by McKenzie/Dunn Counties

Setback Type	Setback Distance
From all section lines and the centerline of all township and county roads.	75 feet

The Project has been sited along existing roads and existing infrastructure to the extent possible to minimize impacts to farming and ranching operations and natural resources. Setbacks from existing infrastructure was used in designing the Project.

3.7 County Criteria

The Project requires a Conditional Use Permit (CUP) from McKenzie County. BEPC will obtain the CUP prior to construction.

The transmission line is a Permitted Use in Dunn County, and additional permitting is not required.

4.0 DESIGN AND CONSTRUCTION

4.1 Project Design

4.1.1 Transmission Line Design Parameters

The Project will consist of an approximately 32.5-mile-long 345-kV single-circuit transmission line with approximately 170 transmission line structures which includes 115 steel single-pole structures and 55 steel H-frame structures. The exact quantity and distribution of structure types may change during detailed design and construction.

The structures will range in height from approximately 70 feet to 175 feet with an average of 120 feet, depending on the required span distances between structures and area topography. The span between structures will typically range from 800 to 1,200 feet and average approximately 1,000 feet, depending on topography. Taller structures will be used for crossing existing distribution and transmission lines or where unusual terrain exists. The structures will be designed to support three conductors, an overhead Optical Ground Wire (OPGW), and one additional steel overhead ground wire for shielding. The OPGW will provide lightning suppression and fiber optic communications between the Roundup and Kummer Ridge substations for systems control. Tangent H-frame structures will be freestanding and directly embedded into the soil. All single-pole structures, angle structures (used where the transmission line changes direction) and dead-end structures (used to provide longitudinal stability along the length of the line) will be constructed with concrete foundations. Temporary and permanent guy wires may be used with landowner approval if suitable for terrain. **Figure 5** and **Figure 6** are diagrams of the single-pole structure and H-frame structure, respectively.

Project construction and design will meet the requirements of the National Electrical Safety Code (NESC) for the Heavy Loading District, BEPC, U.S. Department of Agriculture Rural Utilities Service design criteria, and other applicable local or national building codes. The Heavy Loading District refers to those areas (including North Dakota) that are subject to severe ice and wind loading. Minimum conductor clearance is measured at the point of greatest conductor sag and closest proximity to the ground. The transmission line will be constructed with clearances that exceed standards set by NESC. The minimum conductor height will be 30 feet over agricultural land and roadways. **Table 12** includes a description of various Project design component characteristics.

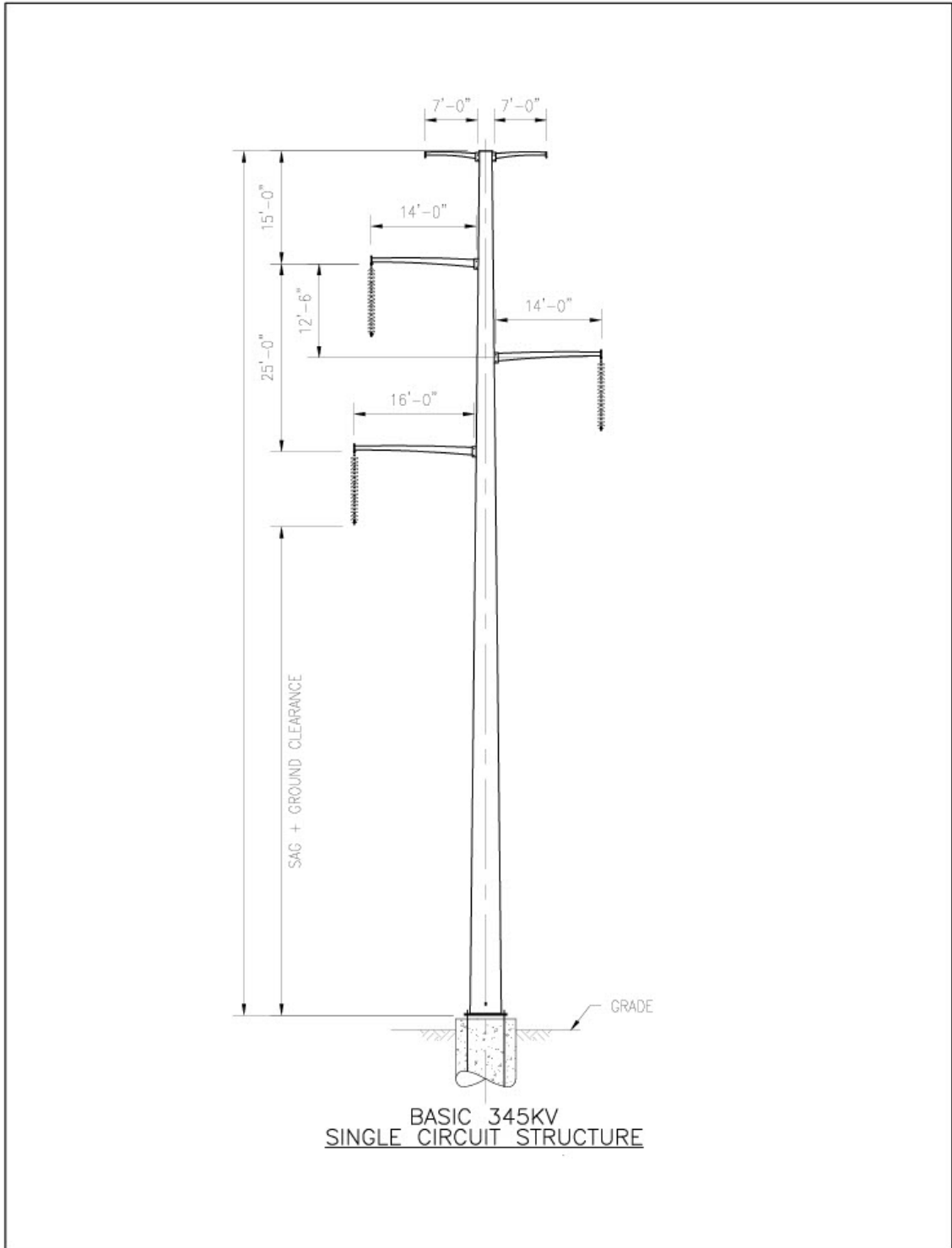


Figure 5. Single Pole Structure

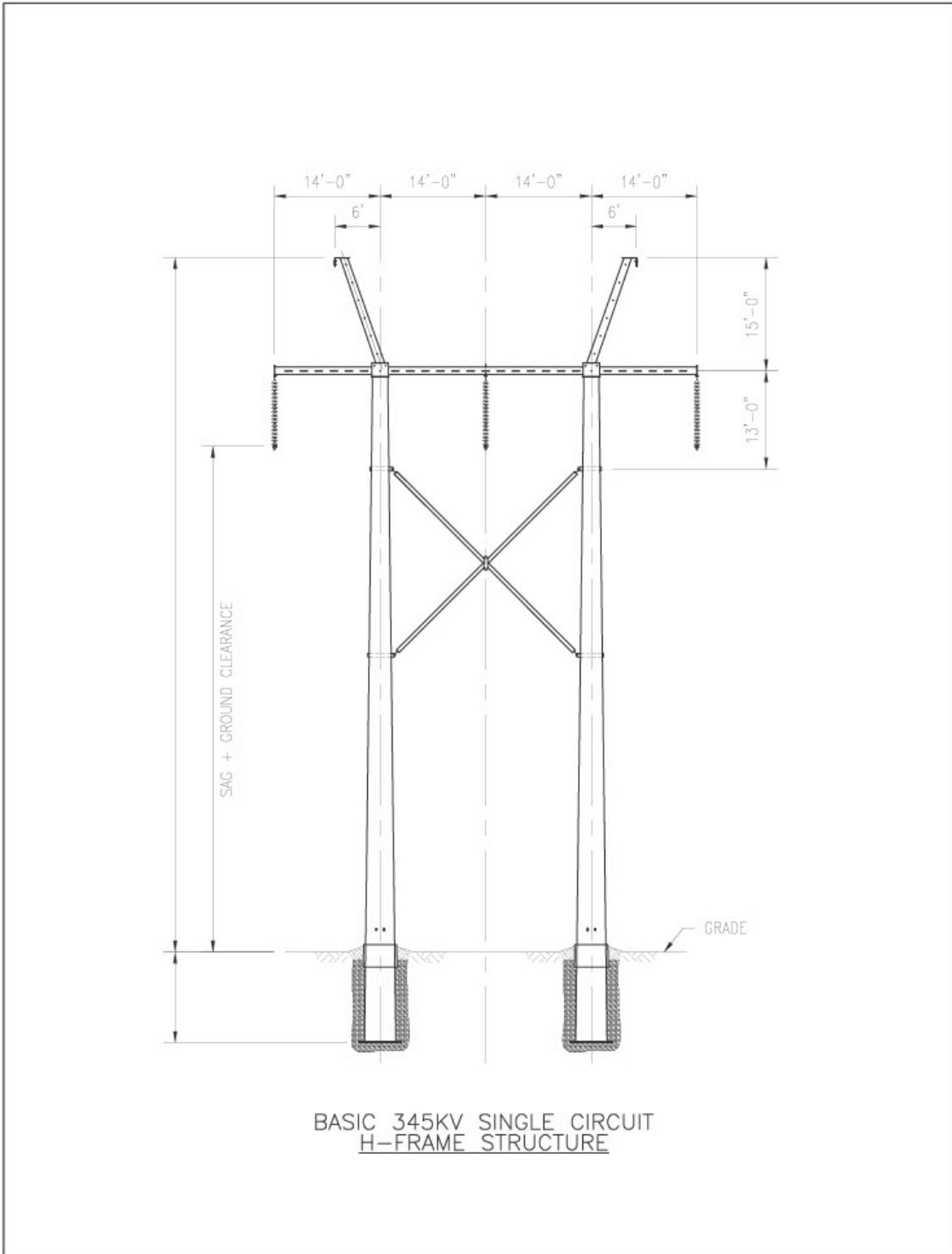


Figure 6. H-Pole Structure

Table 12. Transmission Line Design Components

Description of Design Component	Values
Voltage (kilovolts [kV])	345-kV
Length of transmission line	32.5 miles
Approximate total number of structures	170
Approximate number of single-pole structures	115
Approximate number of H-frame structures	55
Conductor size	1.72 inches
Typical minimum and maximum span distances between structures	800–1,200 feet
Average span	1000 feet
Minimum and maximum structure height	70–175 feet
Average height of structures	120 feet
Average number of structures	5 per mile
Minimum conductor-to-ground clearance to agricultural land at maximum sag conditions	30 feet
Minimum conductor-to-ground clearance to rural roads at maximum sag conditions	30 feet
Minimum conductor-to-ground clearance to railroad at maximum sag conditions	30 feet
Minimum conductor-to-ground clearance to paved highways at maximum sag conditions	30 feet
Circuit configuration	Vertical and Horizontal

4.1.2 Substation Design Parameters

The existing 345-kV Roundup and Kummer Ridge Substations include existing terminals for the new transmission line circuit. Project activities at the substations include upgrading the existing line relays for the new transmission circuit. No physical equipment or expansion of the substations are required.

4.1.3 Supervisory Control and Data Acquisition System

A Supervisory Control and Data Acquisition (SCADA) system will interconnect the Roundup and Kummer Ridge substations. Hard-wire system communications will utilize fiber optics within the OPGW between the two substations and microwave communications equipment will be installed for SCADA redundancy and to facilitate voice and data communications by field personnel.

4.2 Construction Activities

4.2.1 Pre-construction Surveying

BEPC and/or its contractors will perform initial transmission line survey work, consisting of survey control, route centerline location, profile surveys, and access surveys prior to construction. Surveys also include geotechnical soil borings to support foundation design, and natural resources and cultural resources surveys. Natural resources and cultural resources surveys have been completed for the Project.

4.2.2 Site Preparation

The Project Corridor includes challenging terrain. The transmission line alignment and structure locations were selected to minimize site leveling and grading and to utilize existing access for other area utilities. It is anticipated that at some structure locations, blading of small areas (up to 40 feet by 40 feet for crane and manlift landings) may be required to level the ground surface to allow the safe operation of the equipment. Blading will be confined to the Project Corridor and will be accomplished using bulldozers or

front-end loaders. Soil removed during leveling will be stockpiled and replaced following construction; special emphasis will be placed on salvaging topsoil to be used for reclamation. The ground will be regraded to the approximate original contour and revegetated (rangeland) or tilled (cropland) when the work is completed. Temporary disturbance to soils will be mitigated by returning the sites to grazing and farming unless other arrangements are made with the landowner in order to facilitate the long-term maintenance of the transmission line.

4.2.3 Borehole Excavation

Crews will use a truck-mounted auger or tracked vehicle equipped with a power auger to drill holes for the structures along the Project Corridor. Total disturbance at each structure location will vary depending on terrain and equipment; however, all disturbance will be confined to the Project Corridor.

Borings for tangent H-frame pole holes will have an average diameter of five feet and an average depth of 18 feet. The structures will be lowered by crane into boreholes and the annulus around the structure will be backfilled with crushed granular material or excavated material as suitable. Surplus material (expected to total approximately 15 cubic yards at each H-frame tangent structure site—approximately 39 individual sites) will be spread around the base of structures or hauled to an off-site location (i.e., area landfills) for disposal, in accordance with landowner wishes.

The remaining single-pole structures, and all angle and dead ends (141 structures) will require reinforced concrete foundations. The concrete pier foundation design varies depending on the structure height and type, and site-specific soil conditions. Foundations will range from seven to 13 feet in diameter with depths ranging from 20 to 40 feet, depending on soil conditions and structure type. Surplus material will be either spread in the vicinity of the structure or disposed of in accordance with landowner wishes. Large volumes of excess soil will be disposed of at local landfills. Landfills typically need additional fill as cover for waste material. Disposal of waste material, including concrete spoils, will follow applicable regulations and will not include placement in wetlands or aquatic sites. Site-specific borehole diameters, depth, and the use of reinforced concrete foundations will be determined during geotechnical and engineering evaluations.

4.2.4 Structure Assembly and Erection

Structure components (i.e., structure segments, davit arms, hardware, insulators, and related materials) will be trucked to structure work site locations and assembled. Davit arms, insulators, and other appurtenances will be attached to the poles while on the ground at each structure location, within the Project Corridor. Erection crews will place the structure in the borehole (directly embedded) or on reinforced concrete foundations (i.e., self-supporting single-pole, angle point and dead-end structures) using cranes or large boom trucks. The structures will then be plumbed and the hole backfilled, as previously described.

4.2.5 Conductor Stringing and Tensioning

Following structure construction, crews will install the conductors and OPGW using conductor stringing sheave blocks and line pulling and tensioning equipment. The conductor and OPGW will be kept under tension during the stringing process to keep the conductor clear of the ground and obstacles that could damage the conductor and/or OPGW surfaces.

Pulling and tensioning sites are typically located at 10,000-foot intervals and at angle point structures. Sites along tangent structures are maintained within the Project Corridor, those at angle points typically are partially outside of the Project Corridor. Stringing equipment generally consists of wire pullers, tensioners, conductor reels, OPGW wire reels, and sheave blocks. About 10,000 feet of conductor and OPGW will be installed for each pull. After the conductor/ground wire is pulled for a section of line, it is tightened or sagged to the required design tension in compliance with the NESC. The process will be repeated until all the conductor and OPGW are pulled through all sheaves. Conductor stringing also will require access to each

structure for securing the conductor to the insulators or OPGW to each structure once final line sag is established. A typical temporary pulling and tensioning work site and temporary splicing site are shown schematically in **Figure 7**.

For public safety and property protection, temporary wooden guard structures will be used to provide support when stringing conductor and OPGW across existing power lines, roads, highways, railroads, and other linear obstacles. The structures will be removed when stringing is complete; the pole borings will be backfilled, and the temporary support structure sites will be reclaimed. All temporary wooden guard structures will be installed within the Project Corridor.

4.3 Project Access

4.3.1 Transmission Structure Site Access and Traffic

Construction access to transmission structures will involve the use of existing roads where available and temporary overland access trails, where necessary. The use of temporary overland access trails between structure sites will not require new construction but will result in temporary disturbance. Occasional access from section line trails could result in temporary disturbance along the Project Corridor; however, such disturbance will be limited to a 16-foot-wide track (approximately) and only long enough to provide vehicle access directly to structure locations. Some additional access disturbance could occur if truck or vehicle turnarounds are needed; however, the use of structure work sites will be encouraged.

Existing access roads (typically paved or maintained with a gravel or aggregate base) will be used in their original condition. BEPC will be responsible for reimbursing the appropriate public or private entity for the repair of any damage caused by construction equipment movement and will return existing roads to pre-construction or better condition following construction. BEPC will not be responsible for maintaining roads following construction. BEPC will not be responsible for maintaining fences and gates following construction and restoration; however, access gates that will be installed during construction will be left in place following construction.

Line segments that are parallel to section lines that do not have established roadways will utilize the 66-foot-wide public right-of-way (ROW) to the extent practicable. BEPC will restore disturbed areas to pre-construction conditions, to the extent practicable, and will not be responsible for the long-term maintenance of such section line trails. Any fences, gates, or similar features that will be removed during construction will be replaced or rebuilt. Gates and fences that will be installed during construction will be left in place for future use.

4.3.2 Temporary Overland Access and Land Requirements

Temporary impacts are those impacts that result during construction to accommodate equipment and temporary construction activities outside of the areas that will remain as the permanent Project footprint during operation. Temporary overland access will be used in areas without existing roads. Access through cultivated fields will be, to the extent practicable, during the non-growing season. Landowners will be compensated for loss of crops caused by construction activities. Gates may be installed to facilitate access to some structures and the Project Corridor. The gates will be left in place, following construction activities. Permanent access roads to the Project Corridor or structures will not be maintained.

Temporary access routes will result in a 12-foot-wide temporary disturbance and compaction of vegetation and soils. Natural vegetation along these temporary access routes will recover quickly, primarily because grading will not be required. Temporary overland access routes were surveyed for natural and cultural resources. Landowners will be compensated for access routes where public access does not exist.

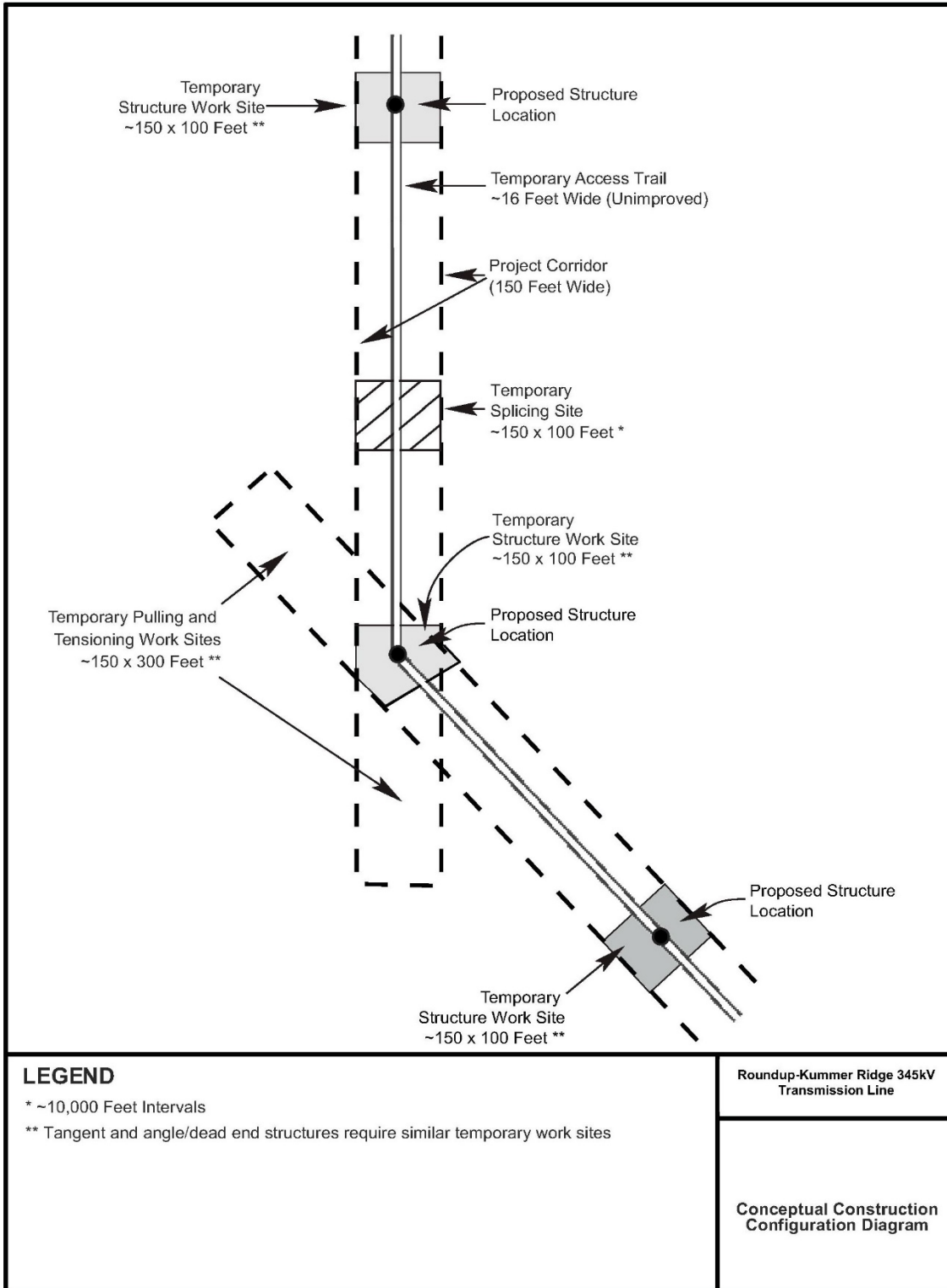


Figure 7. Conceptual Construction Configuration Diagram

A 100-foot x 150-foot (15,000 square feet [ft²]) temporary work site will be located at each structure location and within the Project Corridor. The area will be graded, if required, to ensure safe movement and operation of heavy equipment. The Project will require approximately 58.54 acres of temporary impacts for structure installation, as shown in **Table 13**.

Pulling and tensioning sites will result in temporary disturbance to lands within and outside of the Project Corridor. Pulling and tensioning areas will temporarily disturb a total of 74.38 acres. Pulling and tensioning sites at the angle structures will extend beyond the Project Corridor. Additional areas will be needed along long straight-line expanses of tangent structures. Each pulling and tensioning site will occupy approximately 90,000 ft² within the Project Corridor.

Splicing sites, measuring approximately 15,000 ft² (0.34 acre), also will be required at approximately 10,000-foot-increments within the Project Corridor. Approximately 20 splicing sites will be required for construction, resulting in temporary impacts to approximately 6.89 acres.

Two temporary laydown yards (North and South Laydown Yard) would be used for the duration of construction. The North Laydown Yard is approximately 29.2 acres in size and is in the NW ¼ of Section 21, Township 150 North, Range 96 W. The South Laydown Yard is approximately 35.8 acres in size and is in the N ½ of Section 19, Township 146 North, Range 95 West. Figures depicting the laydown yard areas with an aerial photo background are included in **Appendix A**.

Alternate laydown areas may be utilized by the construction contractor, if necessary. To avoid or minimize impacts on sensitive resources, construction laydown areas are typically located at previously disturbed or developed locations, such as vacant lots, existing utility yards, or parking lots. Where existing yard locations are not available, preferred locations for yards are undeveloped areas, such as grazing land or cropland that are cleared and flat; have all-weather access; and do not contain streams, wetlands, or other environmentally sensitive resources. Laydown yards consist of flat or gently sloping lands where construction material would be placed on pallets or cribbing. No topsoil would be removed and minimal, if any, grading or re-grading is expected to take place at these facilities. Laydown areas would be returned to pre-construction conditions upon completion of the Project.

Estimated temporary land requirements associated with Project access and construction activities are identified in **Table 13**. As noted in **Table 13**, temporary impacts associated with the Project will affect approximately 291.50.

4.4 Permanent Land Requirements

Permanent impacts are those required for Project operation, consisting mostly of individual structure locations. Permanent land disturbance has been estimated for self-supporting single and double circuit tangent structures, self-supporting single and double circuit dead-end structures, and self-supporting angle (turning) structures. Tangent, dead-end, and angle structures will be self-supporting, thus, guy wires will not be required. Estimated permanent ground disturbance impacts are included in **Table 13** below.

Table 13. Estimated Project Ground Disturbance Impacts

Project Component	Temporary Disturbance Assumptions	Permanent Disturbance Assumption	Per Unit Temporary Impact (acres)	Per Unit Permanent Impact (acres)	Impact Multiplier (qty)	Temporary Impact (acres)	Permanent Impact (acres)
Roundup Substation	Existing substation, none	Existing substation, none	0	0	1	0	0
Kummer Ridge Substation	Existing substation, none	Existing substation, none	0	0	1	0	0
Single-pole Tangent on foundation	100 ft x 150 ft = 0.344 acres	8ft diameter = 0.0012 acres	0.344	0.0012	91	31.34	0.11
Single-pole Angle on foundation	100 ft x 150 ft = 0.344 acres	13ft diameter = 0.0030 acres	0.344	0.0030	18	6.20	0.05
H-frame Tangent (2-pole, direct embed)	100 ft x 150 ft = 0.344 acres	6 ft diameter x 2 = 0.0013 acres	0.344	0.0013	34	11.71	0.04
H-frame Angle (2-pole foundation)	100 ft x 150 ft = 0.344 acres	8 ft diameter x 2 = 0.0054 acres	0.344	0.0023	24	8.26	0.06
3-pole Dead-end (on foundation)	100 ft x 150 ft = 0.344 acres	10 ft diameter x 3 = 0.0013 acres	0.344	0.0054	3	1.03	0.02
Pulling and Tensioning Site	150ft x 300 ft x 2 = 2.07 acres	None	2.066	0	36	74.38	0.00
Splicing Sites	100 ft x 150 ft = 0.344 acres	None	0.344	0	20	6.89	0.00
Access	16' wide x 5280 ' = 1.94 acres per mile	None	1.939	0	44.7	86.69	0.00
Laydown Yard(s)	65 acres	None	65	0	1	65.0	0.00
Total (acres)						291.50	0.28

4.5 Easements

Landowners are contacted several times throughout the routing process. Survey permissions are requested from each landowner along the route to allow access for engineering and environmental surveys. Once a route is finalized, BEPC goes through a series of steps throughout the process of acquiring the ROW easements for the transmission line. Title searches going back 30 or more years are completed to identify current ownership and all encumbrances that need to be addressed. A market analysis was conducted by a third-party appraiser to identify the current land values, which were in turn used to establish monetary offers for the easements. Negotiations with landowners occur to acquire easements; these negotiations may take place over several visits. 80% of all easements have been obtained for the Project. A copy of the Project Information Pamphlet for Landowners is included in Appendix B.

4.6 Construction Waste Management

Typical waste materials generated from construction activities include miscellaneous lumber and shipping materials used to protect equipment during transportation, paper products, soda cans, food-related materials, and sanitary waste. Waste from construction materials and rubbish from all construction areas will be collected, hauled away, and disposed in an approved landfill. Sanitary waste will be disposed through arrangements with local municipal sanitary waste treatment facilities.

Material staging areas and vehicle maintenance and refueling areas will not be located near waterways. If any of the material staging areas include vehicle and equipment refueling or storage of petroleum products more than 1,320 gallons, a Spill Prevention, Control, and Countermeasure (SPCC) plan will be developed. The SPCC plan will address: 1) operating procedures to prevent spills; 2) control measures to prevent a spill from reaching navigable waters; and 3) countermeasures to contain, clean up, and mitigate the effects of a spill that reaches navigable waters. Additionally, spill containment and clean up materials (e.g., absorbent material, shovels) will be available at every work site. The materials will be used to contain and clean up oil and hydraulic spills that may result from equipment leaks. Workers will be trained in procedures to follow to contain and clean up released hazardous materials.

4.7 Construction Sequence, Work Force, and Equipment

Transmission line construction will generally follow a sequential set of activities performed by crews proceeding along the length of the line. **Table 14** lists the construction activities. The sequential nature of construction will minimize activities at a given work site.

4.8 Worker Safety and Health Protocol

All construction and maintenance activities will be carried out in compliance with applicable federal and state worker safety regulations, as defined under the Occupation Safety and Health Administration Act of 1979. Worker safety and health is administered by BEPC's Transmission Systems Maintenance Division, which is a member of the National Safety Council.

4.9 Environmental Protection Measures and Policies

Project-specific mitigation measures have been developed to avoid or reduce the severity of environmental impacts. The measures are applicable to Project construction and operation. These measures are discussed under the Mitigation sections of each resource in Section 5.0, *Environmental Analysis*. BEPC's Policies and Commitments to Limit Environmental Impacts are included in **Appendix C**.

Table 14. Conventional Personnel, Equipment, and Time Requirements for Construction

Task	Number of Personnel	Equipment	Length of Time
Structure site clearing and vegetation management	4–6	Pickups, all-terrain vehicles (ATVs)	1 month
Gate installation	3	Flatbed and pickup trucks	1 month
Structure assembly	6–8	Pickups, cranes, material trucks, rubber-tired crane, 4x4 pickups	4 months
Foundation installation	10	Rotary drilling rigs, backhoes, pickups, rubber-tired digging equipment, ATVs, portable compressors, concrete trucks	6 months
Structure erection	6–8	Rubber-tired cranes, boom trucks, 4x4 pickups	6 months
Ground wire and conductor stringing	16–20	Pickups, manlifts/boom trucks, hydraulic tensioning machines, reel trailers	4 months
Cleanup	4	Pickups, dump trucks, flatbed trucks	Duration of Project
Equipment installation	10	Cranes and trucks	3–4 months

4.10 Reclamation

Following construction, disturbed areas will be graded and/or re-sloped to their approximate original contours to minimize erosion and visual alteration. In grassland or pasture areas, disturbed areas will be reseeded with native species unless an alternate seed mix is required by the landowner. Cultivated land will be tilled and returned to production. Fences and gates damaged because of the Project will be repaired.

Rangeland from which vegetation has been removed, destroyed, or damaged will be reclaimed and revegetated. Reclamation activities, weather permitting, will be ongoing throughout construction and will take place as soon as construction activities are completed in a particular area. Drainage structures and similar improvements will be removed from areas to be reclaimed, where appropriate, and the area will be revegetated using a native seed mixture, as recommended by the County Agricultural Extension Service or the Natural Resources Conservation Service (NRCS) unless an alternate seed mix is required by the landowner.

Ruts and scars from overland travel will be leveled to break up compacted soils and aid in returning areas to approximate original contours. Cultivated areas disturbed by overland travel will be leveled and tilled to break up compacted soils (if necessary) and returned to production.

The optimal timing for revegetation success will be spring or fall to coincide with seasonal rains. Mulching may be required to protect seeded areas from erosion. Other erosion control devices, such as water bars, terracing, or water diversion structures will be constructed where needed. Follow-up inspections will be carried out during the next growing season. Areas that did not become revegetated will be reseeded again, as necessary.

The reclamation procedures described above will be applied to disturbed areas including temporary access, staging areas, the Project Corridor, and other areas disturbed by Project activities.

4.11 Operation and Maintenance

The following operation and maintenance activities would be performed throughout the life of the Project.

- BEPC's preventive maintenance program for the transmission line includes aerial and ground inspections. Aerial inspections would be conducted at least two times each year. Ground patrols would be conducted annually for the first three or four years, and less frequently thereafter. Climbing inspections of structures would be conducted on a 5-year cycle with every fifth structure inspected each year. Inspections and patrols would involve the use of vehicles in areas where there is suitable vehicle access.
- Maintenance activities would include repairing damaged conductors, inspecting and repairing structures, replacing damaged and broken insulators, and tightening hardware.
- Maintenance will include the control of noxious weeds. Herbicides will be applied in accordance with manufacturer's instructions, and in accordance with North Dakota Weed and Control Guide and Bureau of Indian Affairs (BIA) recommendations. BEPC would hire a contractor licensed in chemical application in the State of North Dakota.
- Disturbed areas will be monitored for erosion. Erosion control may include the installation and maintenance of necessary measures for temporary and permanent erosion, sedimentation, and dust control as required by relevant agencies and the property owner. Inspection and maintenance will be completed by BEPC or a BEPC representative to ensure compliance with Project reclamation specifications.
- BEPC would maintain any gates it initially installs and continually uses for access.
- BEPC would remove trees that pose a clearance or safety problem to the operation of the transmission line. Specific requirements of the National Electric Reliability Council would be followed. This activity would be completed in accordance with the landowner easement.
- BEPC would operate the Roundup and Kummer Ridge substations throughout the Project life.

4.12 Decommissioning

If the transmission line were to be abandoned or rebuilt, decommissioning and removal of structures, conductor, and ancillary equipment will be in accordance with applicable regulations in place at the time.

5.0 ENVIRONMENTAL ANALYSIS

5.1 Local Economics

5.1.1 Description of Resources

Socioeconomic conditions include population, demographics, income, employment, and housing. These conditions can be analyzed and compared at various scales. The state population showed +13.2% change between the last two censuses (2010 and 2020; **Table 15**), but there were notable changes amongst counties, as shown in U.S. Census Bureau (2020). Dunn and McKenzie counties were ahead of the statewide average increase at 20.3% and 56.6%, respectively. The 2020 American Community Survey 5-Year Estimates data for the FBIR lists the population at 7,193. This is a growth of 14.3% since the 2010 census and above the statewide population increase. While American Indians are the predominant group on the reservation, they are a minority everywhere else in the state. Approximately 65% (4,706) of residents of the FBIR are of American Indian descent.

In addition to the ranching and farming that are employment mainstays in western North Dakota, employment largely consists of tribal government, tribal and private enterprises, schools, and federal agencies.

Table 15. Population and Demographics

Location	Population in 2020	% of State Population	% Change 2010	Predominant Group	Predominant Minority
Fort Berthold Reservation	7,193	0.95	+14.3	American Indian (65.4%)	White (27.9%)
Dunn County	4,362	0.57	+20.3	White (84.2%)	American Indian (8.9%)
McKenzie County	13,836	1.82	+56.6	White (82.4%)	American Indian (10.0%)
North Dakota	760,394	100	+13.2	White (85.7%)	American Indian (5.2%)

Source: U.S. Census Bureau 2010, 2020.

As shown in **Table 16**, the FBIR tends to have per capita incomes, median household incomes, and employment rates that are lower than North Dakota statewide averages. Mandan, Hidatsa, and Arikara (MHA) Nation members are, in turn, disadvantaged relative to overall FBIR incomes and unemployment rates that average in nonmember data. The most recent census found the per capita income per household for residents of the FBIR is \$26,510 (27% less than the state average). Overcrowded housing skews the median reservation household income upward to \$54,696. Approximately 18.9% of employed MHA Nation members were living below federal poverty levels. The unemployment rate of the FBIR is 5.4% compared to 3.1% for the state of North Dakota.

Table 16. Income and Unemployment

Unit of Analysis	Per Capita Income 2020	Median Household Income	Unemployment Rate Percent	Percent of All People in Poverty
Fort Berthold Reservation	\$26,510	\$54,696	5.4	18.9
Dunn County	\$45,782	\$82,750	1.8	6.7
McKenzie County	\$36,414	\$75,238	3.3	10.2
North Dakota	\$36,289	\$65,315	3.1	10.5

Source: U.S. Census Bureau 2020 American Community Survey.

Availability and affordability of housing can affect construction and operations of the proposed Project and other construction activities. Housing information from the 2020 U.S Census Bureau Survey is summarized in **Table 17**.

Table 17. Housing

Housing	North Dakota	Fort Berthold Indian Reservation	Dunn County	McKenzie County
Housing Units	376,597	4,247	2,606	6,856
Owner-Occupied Units	62.5%	57.5%	73.5%	57.5%
Renter-Occupied Units	37.5%	42.5%	26.5%	42.5%
Vacant Housing Units	14.8%	45.3%	34.8%	34.7%
Building Permits	3,600	–	13	66

Source: U.S. Census Bureau 2020 American Community Survey.

5.1.2 Impacts/Mitigation

The Project will have positive economic impacts for the local population, including payments for participating landowners, employment, property tax for the substation parcel, transmission line tax payment to the state of North Dakota based on mileage and voltage, and sales/use tax on materials. No residents will be displaced.

Landowner compensation has been established under individual easement agreements and includes compensation for loss of crops caused by construction activities. In general, agricultural areas surrounding each structure can still be farmed. Project construction will not cause additional impacts to leading industries within Dunn and McKenzie counties.

In addition, wages and salaries paid to local contractors and workers in Dunn and McKenzie counties will contribute to the personal income of the region. Additional personal income will be generated for residents in the counties as well as the state by circulation and recirculation of dollars paid out by BEPC as business expenditures and state and local taxes. Expenditures made for equipment, energy, fuel, operating supplies, and other products and services will benefit businesses in the county and the state.

It is likely that general skilled labor is available either in the county or the state to serve the basic infrastructure and development needs of the Project. Specialized labor will be required for certain components of the Project. It is likely that this labor will be imported from other areas of the state or from other states, as the relatively short duration of construction does not warrant special training of local or regional labor. Balancing the use of local contractors and imported specialized contractors will likely alleviate any labor relations issues.

No effects on permanent housing are anticipated. During construction, out-of-town laborers will likely use lodging facilities in and around the cities of Killdeer, New Town, and Watford City.

5.2 Public Services

5.2.1 Description of Resources

Local Government Services

Within the Study Area is a network of established roads and utilities that provide access and necessary services to cities, communities, homesteads, and farms. There are no incorporated or unincorporated

cities within the Study Area. The nearest communities include Killdeer, Mandaree, New Town, and Watford City.

Transportation

Roads located within the Study Area are US Highways 22 and 73, county roads (paved, gravel graded and drained roads), private roads, township roads, section lines, oil and gas access roads, and sand and gravel mine access roads. Roads within the Study Area fall under the North Dakota Department of Transportation District Boundaries of Williston and Dickinson, North Dakota.

Air Traffic

The closest airport/airstrip is the Dunn County Airport located north of Killdeer along US Highway 22. The nearest airport certified for commercial carrier operations is the Williston Basin International Airport located approximately 73 miles from Johnson's Corner. Spray planes used for aerial application of pesticides or fertilizer operated by local spray plane operators may occur within the Study Area.

The Federal Aviation Administration reviewed the initial Project design and determined that the first six structures would need to be lighted due to height in relation to proximity to the Dunn County Airport. BEPC redesigned the structure height and placement locations and resubmitted the design for review. The FAA has determined that the structures need to be marked with spherical markers but lighting is not required. The FAA determinations are included in **Appendix G**.

Water Supply

The Western Area Water Supply Authority supplies potable water to communities near the Study Area. The Fort Berthold Rural Water system supplies potable water to residents of the FBIR. BEPC will evaluate obtaining water for construction from the cities of Killdeer, Watford City, or New Town and truck the water to the construction site. BEPC will consult with towns to obtain the appropriate permits and/or approvals.

There are also many private water supply wells that sell water for local oil and gas operations in the area. BEPC may coordinate with these suppliers to obtain water for the project.

Telecommunications

The corona-induced broadband electromagnetic radiation (EMR) from transmission lines can produce interference with some communications signals if there is an overlap in the signal and EMR frequencies. Broadband corona EMR discharge typically occurs in the frequency spectrum from below 100 kilohertz to approximately 1,000 megahertz, which overlaps with the frequencies used for AM and FM radio and some television signals.

5.2.2 Impacts/Mitigation

Local Government Services

No impact is expected to local services.

Transportation

The transportation of materials and equipment will be conducted in accordance with the North Dakota Department of Transportation regulations. All necessary provisions will be made to conform to safety requirements for maintaining the flow of public traffic. Construction operations will be conducted to offer the least possible obstruction and inconvenience to public traffic. Public roads, section lines and existing trails will be used, to the extent practicable, to access the transmission line (see Section 4.3). Fugitive dust emissions generated because of surface disturbance activities and vehicle use of access roads will be controlled by the periodic application of water, if necessary. The speed of vehicles traveling on unpaved roads will be limited, to the extent practicable, to reduce the generation of fugitive dust. Vehicles and

equipment will be properly maintained to avoid excessive emission of exhaust gases due to poor engine adjustments.

Air Traffic

BEPC has submitted the structure locations and elevations to the Federal Aviation Administration (FAA) for a hazard determination. No part of the Project will exceed 200 feet in height above ground level. The Project will include bird flight diverters, which can provide visibility during the day for low flying aircraft.

Water Supply

Construction will not significantly impact local water supply. Construction water estimates are subject to change due to final site investigation and weather. Water for construction will be brought on-site via trucks. The abandonment of existing wells is not required. The Project will not require appropriation of surface water or permanent dewatering. Temporary dewatering of groundwater (i.e., locally lowering groundwater levels in the vicinity of the excavation) may be required during construction of transmission structures.

Telecommunications

Existing telephone and fiber optic cables within the Project Corridor will be located in the field by the respective utility companies prior to construction to ensure that impacts to telephone and fiber optic cables will be avoided.

With sufficient corona activity, some radio and television interference can be noticeable; however, the radio sound generated by a transmission line is very low in power and interference is generally only experienced in very close proximity to the transmission line. These effects are most pronounced directly underneath the line conductors and decrease with distance from the transmission line. The level of interference with reception of a radio signal also depends on the relative locations of the radio transmitter, the radio receiver, and the transmission line. A transmission line that is directly between a radio transmitter and a listener's receiver may be more likely to interfere with that listener's reception, whereas a transmission line behind or beside the listener in relation to the transmitter will not necessarily cause interference depending on the radio receiver's antenna.

As digital signal processing has been integrated into television and radio receivers, the potential interference impact of corona-generated radio sound has been further reduced. Moreover, the advent of cable and satellite television service, and the federally mandated conversion to digital television broadcast in June 2009 have greatly reduced the occurrence of corona-generated interference. Newer digital television receivers are equipped with systems to filter out interference.

5.3 Public Health, Welfare, and Safety

5.3.1 Description of Resources

Audible Sound, Corona Discharge, and Aeolian Vibration

Corona from transmission line conductors can generate electromagnetic "noise" at the same frequencies transmitted by radio and television signals. Corona consists of the breakdown or ionization of air within a few centimeters of conductors and hardware. Aeolian vibration is produced when a steady flow of wind interacts with an object such as a transmission line. Wind must blow steadily and perpendicular to the lines to set up oscillating forces.

The Study Area is primarily rural and agricultural. There are no populated towns within the Study Area. The existing acoustic environment is defined primarily by distant traffic sound from the nearby arterial highways and will also include intermittent aircraft overflights and sound from agricultural operations. In addition to anthropogenic sound sources, the windy conditions of this site define a somewhat elevated

ambient sound level, which increases with wind speed. Windy conditions can generate sound caused by the rustling of grass and tree leaves.

Electromagnetic Fields

Power frequency electromagnetic fields (EMF) are created wherever electricity flows. Leading U.S. and international scientific organizations, such as the National Cancer Institute and the World Health Organization, have evaluated EMF research. These organizations generally conclude that overall, the body of scientific research does not show that exposure to EMF causes or contributes to any type of cancer or any other disease or illness (National Institute of Environmental Health Sciences [NIEHS] 1999).

Hazardous Materials/Hazardous Waste

Fuels, hydraulic fluids, and other hazardous substances may be used during construction of the Project. Potentially hazardous materials may also be encountered during construction associated with aboveground storage tanks containing water, brine, condensate, or hydrocarbon mixtures associated with oil/gas development. Other potential hazards may exist in rural areas from farm dumps and agricultural chemicals.

5.3.2 Impacts/Mitigation

Sound from Maintenance and Construction

Project construction and maintenance may cause short-term but unavoidable sound impacts due to construction and equipment. Construction and maintenance activities will also generate traffic that will have potential sound effects, such as trucks travelling to and from the Project on public roads. Sound generated by construction activities is generally exempt from state and local noise regulation. Once the Project has been built, no significant construction sound impacts are anticipated. Project maintenance will occur periodically but is not expected to result in significant sound generation.

Corona Discharge

Corona effects occur when air molecules near conducting wire are ionized due to changes in the electric field intensity at the conductor surface. Measures such as carefully handling the conductor during construction to avoid nicking or scraping or otherwise damaging the surface and using hardware with no sharp edges or points are typically adequate to control corona. Corona effects are expected to be low enough that no objectionable audible sound will result outside the Study Area. The sound is most noticeable when conductors are wet because of precipitation.

Aeolian Vibration

Aeolian vibration is produced when a steady flow of wind interacts with an object such as a transmission line. Wind must blow steadily and perpendicular to the lines to set up oscillating forces. The resulting vibration can produce resonance if the frequency of the vibration matches the natural frequency of the line. However, aeolian vibration is expected to be minimal outside of the Project Corridor.

Electromagnetic Fields

Many studies of EMF have been conducted, but none has identified a cause-and-effect relationship between EMF exposure and health effects or a mechanism by which EMF could cause disease (NIEHS 1999). No impacts from EMF are expected.

Hazardous Materials/Hazardous Waste

As with any construction activity, there is the possibility of accidentally spilling fuel, hydraulic fluid, or other hazardous substances during construction of the Project. The potential of such events will be minimized through implementation of a SPCC plan, which will include the following:

- Construction equipment will be equipped with spill cleanup kits.
- Equipment refueling will take place at secure areas, away from wetlands or drainages.
- Workers will be trained in spill clean-up and the use of the spill cleanup kits.
- Burning waste materials within the Project Corridor will not be permitted and all waste materials will be disposed of at permitted waste disposal areas or landfills.

These measures will ensure that surface and groundwater quality will not be degraded through inadvertent spillage of contaminants.

5.4 Cultural Resources

5.4.1 Description of Resources

Metcalf Archaeological Consultants, Inc. (Metcalf) conducted a Class I Literature Review and Class III Cultural Resource Inventory for the Project. The results of these studies are summarized in the report included in **Appendix D**. At the time of this filing, the cultural resource survey of the North Laydown yard has been completed; however, the report has not yet completed. The findings of the survey will be included in a supplemental filing.

Class I Literature Review

In September 2022, Metcalf staff Dierdre Bostyan conducted a search of the site and manuscript files at the State Historical Society of North Dakota (SHSND) to determine if any cultural resources had been recorded or if any cultural resource inventories had been conducted within the Project Corridor and the surrounding mile search area.

The site files search revealed that 808 cultural resources have been recorded in the search area. These resources consist primarily of precontact lithic scatters, cultural material scatters, isolated finds, and various site leads. Most resources are unevaluated or have been recommended as not eligible.

The manuscript files search revealed that about 550 cultural resource projects have been conducted in the search area. These projects consist of oil and gas, road projects, or utility undertakings.

Class III Cultural Resources Inventory

Metcalf conducted a Class III Cultural Resources Inventory for the Project. The objective of the inventory was to locate any cultural resources located within the area of potential effects, to determine whether those resources qualify for inclusion on the National Register of Historic Places (NRHP) and assess the effect that the Project may have on those cultural resources that qualify for the NRHP. Fieldwork was conducted on November 4–7 and November 11, 2022, and resumed work after snowmelt on May 14–16 and June 7–9, 2023.

In all, 12 previously recorded sites and two isolated finds were revisited, and site forms were updated. Six sites and two isolated finds were discovered and recorded. Only two resources were found in McKenzie County. A cultural resources report was submitted to the SHSND for review and a response letter concurrence was received on October 26, 2023 (response letter is included in **Appendix G**).

BEPC has determined that all the sites identified in the Metcalf report can be avoided. Avoidance strategies have been developed for all eligible or unevaluated sites along the Project Corridor and in most cases involve avoidance of impacts to the sites and placing protective fencing around site features during construction.

5.4.2 Impacts/Mitigation

BEPC intends to avoid impacts to cultural resources during construction as recommended by the Metcalf Class III report. BEPC will implement the following mitigation measures for the Project:

- Avoidance strategies have been developed for all eligible or unevaluated sites along the Project Corridor and in most cases involve placing protective fencing around site features during construction.
- BEPC personnel, contractors, and subcontractors will be directed not to engage in the illegal collection, damage, or vandalism of historic and prehistoric resources.
- If any previously unknown cultural resources or human remains are discovered during Project construction, all work within 200 feet of the discovery that might adversely affect the cultural resource or human remains will cease until the agencies, in consultation with the appropriate parties, can evaluate the discovery. The agencies will be notified immediately (within 24 hours) and will have a qualified professional archaeologist and tribal representative (if necessary) with the proper expertise for the suspected resource type on-site as soon as possible. Construction in the immediate vicinity of the discovery will not proceed until authorized by the agencies.
- An Unanticipated Discovery Plan has been prepared that outlines the procedure utilized to address any unanticipated discoveries of cultural resources, including possible human remains (**Appendix E**). If unanticipated discoveries are made during construction, the Unanticipated Discovery Plan provides directions to on-site personnel and their consultants regarding proper procedures for addressing the discoveries. If burials are discovered during construction, construction would stop within 100 feet of the site and the site will be protected until the Dunn or McKenzie County Sheriff's office has been contacted. The Sheriff will contact the North Dakota State Forensic Examiner to determine if the remains are associated with a crime scene. If the remains are determined not to be part of an active crime scene or investigation, the North Dakota Chief Archaeologist will be contacted to coordinate how to proceed.

5.5 Land Use, Vegetation, and Recreational Resources

5.5.1 Description of Resources

Land Use

The Study Area is in rural North Dakota in an area predominantly comprised of cultivated land, hayfields, pasturelands, and grasslands. Accordingly, much of the Study Area is utilized for agriculture supporting both livestock grazing and crops. Wooded areas within the Study Area include shelterbelts between fields, windbreaks surrounding farmsteads, and along drainages and waterbodies. Land cover classifications, including acreage within the Study Area and Project Corridor, are shown in **Table 18** and figures in **Appendix A**.

As discussed previously, The Project includes 6.46 miles of overhead transmission line on Tribal Trust lands and 0.25 miles of overhead transmission line on BLM land. Additionally, access roads for construction and operation/maintenance are located on Tribal Trust, BLM, and U.S. Army Corps of Engineers (USACOE) land.

The BIA is the surface management agency for potentially affected tribal lands and individual allotments. The BIA's actions in connection with the proposed Project include the approval of leases, easements, and ROWs, and determinations regarding cultural resource effects.

The proposed project on Federal land(s) requires compliance with the National Environmental Policy Act (NEPA) and regulations of the Council on Environmental Quality (40 Code of Federal Regulations [CFR] 1500-1508 [1970]). Power project ROWs are granted pursuant to the Rights-of-Way on Indian

Land Act of February 1948, (25 U.S. Code [USC] §§ 323-328), the Indian Land Consolidation Act (25 USC § 2218 § 219 [2000]), and 25 CFR 169 (2015). The BIA must comply with NEPA before it issues a determination of effect regarding environmental resources. An Environmental Assessment (EA) for the proposed transmission line has been prepared for the Project to analyze the direct, indirect, and cumulative impacts of the proposed Project on the FBIR. A Notice of Availability (NOA) was issued by the BIA regarding a Finding of No Significant Impact (FONSI) on December 6, 2023.

Applications for proposed high-voltage electric transmission line projects on BLM-administered public lands are processed as ROWs under Title V of the Federal Land Policy and Management Act (FLPMA) and in accordance with Title 43, Part 2800 of the CFR. The processing of high-voltage electric transmission line ROW applications must also comply with the BLM planning, environmental, and other regulatory requirements. To secure obligations imposed by the grant and applicable laws and regulations, the authorized officer shall make a determination of the need for a bond, in accordance with 43 CFR 2805.12(g) and MS-2805.12D. An EA is being prepared for the BLM as part of their ROW process.

Approximately 1,340 feet of an existing, gravel-surfaced access road crosses USACOE property. No permit is required from the USACOE; however, they have asked for documentation of road condition prior to construction, plans and specifications that would address damage to roads and the associated restoration, a construction schedule, and a copy of the EA prepared for the BIA and BLM.

Table 18.Land Cover

Land Cover	Acreage within Study Area	Acreage within Project Corridor
Barren Land	4.7	58.5
Cultivated Crops	3,466.8	68.2
Deciduous Forest	2,073.8	0.0
Developed, High Intensity	40.5	3.3
Developed, Low Intensity	322.8	1.9
Developed, Medium Intensity	191.3	9.6
Developed, Open Space	345	1.6
Emergent Herbaceous Wetlands	96.6	32.1
Evergreen Forest	39.1	73.1
Hay/Pasture	993.1	3.8
Herbaceous	3,044.9	1.8
Mixed Forest	82.5	350.1
Open Water	70.6	3.0
Shrub/Scrub	10,270	58.5
Woody Wetlands	122.2	68.2

Source: National Land Cover Database (Homer et al. 2015).

There are approximately 60 acres of school trust lands located within the Project Corridor. School trust land is managed by the NDDTL. These lands are dedicated to producing income for the schools and designated trustfunds of North Dakota. Ninety-nine percent of North Dakota's school trust lands are leased

to farmers and ranchers (NDDTL 2020). School trust land is generally open to walk-in public use; however, lessees may restrict access if livestock are present.

Noxious Weeds

There are 13 state noxious weeds: absinth wormwood (*Artemisia absinthium*), Canada thistle (*Cirsium arvense*), dalmatian toadflax (*Linaria genistifolia*), diffuse knapweed (*Centaurea diffusa*), houndstongue (*Cynoglossum officinale*), leafy spurge (*Euphorbia esula*), musk thistle (*Carduus nutans*), palmer amaranth (*Amaranthus palmeri*), purple loosestrife (*Lythrum salicaria*), Russian knapweed (*Acroptilon repens*), Saltcedar (*Tamarix chinensis*, *T. parviflora*, *T. ramosissima*), spotted knapweed (*Centaurea maculosa*), yellow toadflax (*Linaria vulgaris*; North Dakota Department of Agriculture 2020).

County and city weed boards may develop and compile their own list of noxious weeds, provided the list includes all weeds determined to be noxious by the North Dakota Agriculture Commissioner. Black henbane (*Hyoscyamus niger*) is listed by both Dunn and McKenzie counties as a noxious weed. Additionally, McKenzie County includes baby's breath (*Gypsophila paniculata*), common burdock (*Atticus minus*), and hoary cress (*Lepidium draba*).

5.5.2 Impacts/Mitigation

The Project will not result in a significant change in land use. No residences or farms will be displaced due to construction activities. BEPC has submitted an EA and easement application(s) for the portion of the Project that crosses Tribal Trust and BLM land. BEPC has submitted an easement application to the NDDTL and expects the easement agreement to be finalized following Project approval from the Commission. BEPC will implement the following mitigation measures for the Project:

Land Use

- The movement of crews and equipment will be limited to Project Corridor and other areas that have been cleared for cultural, historical, and biological resources. The contractor will limit movement on the Project Corridor to minimize damage to rangeland, cropland, or property.

Agricultural Practices

- Where practical, construction activities will be scheduled during periods when agricultural activities will be minimally affected, or the landowner will be compensated accordingly.
- Fences, gates, and similar improvements that are removed or damaged will be promptly repaired or replaced. New gates may be installed, if deemed appropriate.
- The ROW easement will be purchased through negotiations with each landowner affected by the Project and payment will be made of full value for crop damages or other property damage during construction or maintenance.
- When weather and ground conditions permit, all deep ruts that are hazardous to farming operations and to movement of equipment will be eliminated or compensation will be provided if the landowner desires. Such ruts will be leveled, filled, and graded, or otherwise eliminated in an approved manner. Ruts, scars, and compacted soils from construction activities in cropland or rangeland will be loosened and leveled by subsoiling, par plowing, scarifying, harrowing, or disking, as appropriate. Damage to ditches, roads, and other features of the land will be corrected or payment will be made to the Dunn or McKenzie County Road and Bridge department per their specific rules and parameters to complete this type of work. The land and other features will be restored as nearly as practicable to their original conditions.

Vegetation

- Where wooded areas cannot be avoided, the transmission line will be placed in areas with the lowest density of trees, whenever feasible, thereby reducing the number of trees that will require removal within the Project Corridor.
- All vegetative materials resulting from clearing operations will either be chipped onsite or removed and disposed of in a permitted facility.
- Existing native vegetation within the Project Corridor will be preserved whenever feasible.
- Surface disturbance areas will be reclaimed using native species, as approved by the NRCS, county extension agency, or other desired seed mix if required by landowners, and will be planted at the appropriate times to reestablish native vegetative cover and minimize the potential for invasion by non-native species.
- Wetland and riparian communities will be spanned by the transmission line, thereby avoiding impacts to these ecosystems.
- Erosion and sedimentation controls will be implemented to minimize indirect impacts to wetlands and riparian areas.
- If herbicides are used to remove woody species that become established in the Project Corridor and pose a hazard to the transmission line, they will be used in an appropriate manner.
- Mulch and seeds used for revegetation, erosion, and sediment control will be certified as weed-free.

Noxious Weeds

- If noxious weeds are observed in the surface disturbance areas, populations will be controlled with the application of herbicides, which will be applied by a certified herbicide applicator in accordance with label instructions and State and local County Weed Board regulations. Biological control methods (e.g., use of spurge beetles) or mechanical control methods (e.g., mowing) also may be considered for weed control, in consultation with appropriate agencies.
- Herbicides will not be used near surface water.
- Prior to the initiation of construction activities, construction vehicles and equipment will be thoroughly cleaned to prevent the possible spread of noxious weed seeds within the Project Corridor.
- The Project Corridor and other surface disturbance areas will be monitored annually for noxious weeds for a 3-year period following construction and reclamation. Landowners will be consulted regarding all noxious weed control measures and issues.
- Herbicide applications will occur in late spring or early summer to eradicate or control noxious weeds before they mature.

5.6 Soils and Geologic Resources

5.6.1 Description of Resources

The Study Area is divided into two Class IV ecoregions which are more detailed ecoregions for state-level applications. The two ecoregions are the Missouri Plateau and the Little Missouri Badlands. The topography of the Missouri Plateau was largely unglaciated and retains its original soils and complex stream drainage pattern. Agriculture, predominantly wheat (*Triticum aestivum*), alfalfa (*Medicago sativa*), and livestock grazing, has replaced much of the shortgrass prairie. The Little Missouri River formed the Little Missouri Badlands ecoregion. The soft silts and clays formations continually melt off the sparsely vegetated conical hillslopes. Ephemeral, flashy stream flows create steep, down cut

channels in the soft sediments along the tributaries to the Little Missouri River. Grazing and recreation are the dominant land uses (Bryce et al. 1996).

There are approximately 185 active oil and gas wells within the Study Area (North Dakota Industrial Commission [NDIC] 2023). There are no active sand and/or gravel mines located within the Study Area (Google Earth 2020). One abandoned surface mine, located in Section 7, T146N, R95W, is within the Study Area. There are no abandoned mines within the Project's ROW (North Dakota GIS Hub [NDGIS] 2023). Multiple landslides are present within the Study Area as indicated by the North Dakota Geological Survey landslide mapping program (**see Figures in Appendix A**).

5.6.2 Impacts/Mitigation

The Project will not result in a significant change in soil and geologic resources. All active oil and gas wells will be avoided. A geotechnical analysis will be performed and areas which are geologically unstable will be avoided and spanned as necessary. BEPC will implement the following mitigation measures for the Project:

- Excess subsoils and rock will be hauled off-site to an approved landfill.
- Erosion and sediment controls will be established prior to construction, then maintained and controlled through application of the Storm Water Pollution Prevention Plan (SWPPP).
- Sediment control measures (e.g., installation of silt fences) will be used, where appropriate, to prevent sediment from moving off-site and into waterbodies.
- Maintenance operations will be scheduled during periods of minimum precipitation to minimize the potential of surface runoff and to reduce the risk of erosion, rutting, sedimentation, and soil compaction. However, emergency repairs to the transmission line may occur during periods of inclement weather. Ruts, scars, and compacted soils resulting from emergency activities will be repaired by subsoiling, Para plowing, scarifying, harrowing, or disking, as appropriate.
- Temporary laydown areas will be located in previously disturbed areas and/or areas previously surveyed for cultural and biological resources.

5.7 Surface Water and Groundwater Resources

5.7.1 Description of Resources

The Project is located within the Missouri-Oahe and Missouri-Little Missouri Hydrologic Unit Code (HUC2). Temporary and semi-permanent wetlands are scattered throughout the Study Area. Perennial and Intermittent drainages associated with the Missouri River system are also present in the Study Area.

Western EcoSystems Technology, Inc. (WEST) conducted wetland and waterbody mapping in support of the Project. Prior to field surveys, a desktop assessment was completed to identify wetland and waterbody areas within the Project Corridor. U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory data and the U.S. Geological Survey (USGS) National Hydrography Dataset were used to identify potential surface waters within the Study Area (USFWS 2020a, USGS 2020). The data were used as a precursor for field delineations. Field surveys were conducted to confirm desktop boundaries and to update wetland/upland vegetation breaks, slope, and hydrology indicators. A total of 124 wetlands were mapped through the desktop and field mapping efforts.

The Little Missouri River, Northfork Creek, Jim Creek, Frank Creek, Deep Creek, Corral Creek, Burnt Creek, and Bear Den Creek, along with numerous small drainages, and wetlands are found within the Study Area. Due to the Study Area's rural location, the Federal Emergency Management Agency (FEMA) has not developed flood rating maps for the area (U.S. Department of Homeland Security, FEMA 2023). Aquifers present within the Study Area include the Fort Union Aquifer, Fox Hills-Hell Creek Aquifer, and Dakota Aquifer (North Dakota State Water Commission 2020).

5.7.2 Impacts/Mitigation

The Project will not result in a significant change to surface water and groundwater resources. Wetlands will be spanned, and no transmission structures will be placed in a wetland or waterbody. BEPC will implement the following mitigation measures for the Project:

- A pre-construction wetland and waterbody survey has been conducted to determine the location and spatial extent of wetlands and waterbodies within the Project Corridor (included in the Natural Resources Report; **Appendix F**). All features were mapped using a Global Positioning System device to enable feature avoidance and site-specific structure placement.
- A 100-foot buffer will be established adjacent to wetlands and streams, where practicable, to prevent or minimize impacts to those ecosystems. Construction vehicles and equipment will not traverse through wetlands and riparian areas, thereby avoiding direct impacts to these sensitive areas.
- Transmission line structures will be sited so that streams and drainages are spanned and remain undisturbed. Construction and maintenance access also will avoid these areas. If crossing of a drainage way is required for access, the appropriate permits will be obtained.
- Staging areas and refueling areas will not be located near surface waterbodies.
- Areas that need to be cleared during construction will be revegetated with an approved native seed mix as soon as technically feasible to minimize soil erosion and sediment runoff.
- If necessary, a SPCC plan will be developed prior to the start of construction to prevent the potential for spills of hazardous substances into streams and drainages, and potential contamination of groundwater. The plan will include a procedure for storage of hazardous materials and refueling of construction equipment outside of riparian zones, spill containment and recovery plan, and notification and activation protocols.
- Refueling of construction vehicles will occur at commercial fueling facilities and staging areas if on-site fuel storage is needed for refueling.
- A SWPPP will be developed and implemented prior to initial construction activities. The SWPPP will include an analysis of materials that will be utilized and site activities that could potentially impact storm water and the associated mitigation measures to minimize that potential. SWPPP implementation will include regular inspections of areas under construction, material storage and laydown areas, and structural devices for storm water management. All construction personnel will be trained and required to comply with SWPPP's requirements and the maintenance of all environmental protection measures. The SWPPP will be maintained until final stabilization of all disturbed areas has been completed.

5.8 Wildlife and Rare and Unique Natural Resources

5.8.1 Description of Resources

The USFWS administers the Endangered Species Act (ESA), which mandates protection of species federally listed as threatened and endangered and their associated habitats. An endangered species is a species that is in danger of extinction throughout all or a significant portion of its range. A threatened species is a species that is likely to become endangered in the foreseeable future. Critical habitat for these species can be designated if that habitat includes specific areas that are occupied by a species at the time of listing or unoccupied areas that are considered essential to the conservation of a species. Candidate species receive no statutory protection from the USFWS unless they are formally listed. North Dakota does not have a threatened and endangered species list; however, it recognizes those federally listed under the ESA.

The USFWS Information for Planning Consultation site was used to review federally listed species within the Survey Corridor and Dunn and McKenzie counties (USFWS 2023a). The review also included the USFWS designated critical habitat for threatened and endangered species geospatial data (2023b), along with known range, reported occurrences, and habitat needs for each species. **Table 19** identifies the federally listed species with the potential for occurrence within the Survey Corridor.

Table 19. Threatened and Endangered Species

Common Name	Scientific Name	Status	Critical Habitat
Northern long-eared bat	<i>Myotis septentrionalis</i>	Endangered	No designated critical habitat.
Whooping crane	<i>Grus americana</i>	Endangered	No designated critical habitat.
Dakota skipper	<i>Hesperia dacotae</i>	Threatened, Critical Habitat Designated	The Project is outside the designated critical habitat.
Piping plover	<i>Charadrius melodus</i>	Threatened, Critical Habitat Designated	The Project is outside the designated critical habitat.
Red knot (rufa)	<i>Calidris canutus rufa</i>	Threatened	No designated critical habitat
Monarch butterfly	<i>Danaus plexippus</i>	Candidate	No designated critical habitat.

Source: U.S. Fish and Wildlife Service Information for Planning and Conservation (2023a)

Bald eagles (*Haliaeetus leucocephalus*) and golden eagles (*Aquila chrysaetos*) are protected under the Bald and Golden Eagle Protection Act (BGEPA). The BGEPA protects bald and golden eagles throughout their range in the U.S. Although it does not designate critical habitat, BGEPA protects individual eagles and nests from disturbance.

Additionally, the North Dakota Natural Heritage biological conservation database reviewed the Project to determine if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate 1-mile radius of the Project.

Northern Long-eared Bat

The northern long-eared bat (NLEB; *Myotis septentrionalis*) is a forest-dwelling mammal. The home range of the NLEB is approximately 150 acres, including a summer and winter habitat. In the summer, NLEB roost under bark or in crevices of trees, preferring to roost in tall trees greater than three inches diameter at breast height, and under the exfoliating bark of dead or dying trees. In the winter, NLEB hibernate in caves and mines. The NLEB prefers foraging in edge habitats and forests comprising trees with a diversity of life stages (USFWS 2023c).

The presence of the NLEB is uncertain in North Dakota. White-nose syndrome (WNS) currently remains the predominant threat to the NLEB. North Dakota is included in the current extent of WNS zone per the Final Rule (88 Federal Register 4908 [January 26, 2023]; USFWS 2023d). With the Final Rule reclassifying the NLEB as endangered, incidental take of the species is prohibited. To avoid incidental take, it is recommended to conduct tree clearing activities between November 1 to March 31 when bats have either migrated or are hibernating in underground caves.

The Project would require small scale tree clearing at 90 locations, totaling 10.4 acres, for structure placement. A desktop analysis was conducted to determine impacts to tree habitat and determine what locations have a higher probability of providing habitat for the NLEB. A 1,000-foot buffer of the Survey Area was digitally analyzed for tree habitat. Tree habitat was then segregated between greater than 5-acre patches and less than 5-acre patches. The review determined that 105.6 acres of trees are within the ROW and 10.4 acres would need to be removed (9.8%). Of the 90 tree clearing areas proposed, 83 are

within the 1,000-foot connected habitat buffer. Maps depicting the results of the analysis are in **Appendix F**.

To reduce the potential to impact NLEB at the tree clearing locations, BEPC has committed to conducting tree clearing activities from November 1 to March 31, outside of the active season for NLEB in North Dakota. If localized tree clearing activities could not be conducted during this window, presence/absence surveys would occur, and tree removal would happen immediately following a negative survey.

Whooping Crane

The primary nesting area for the whooping crane (*Grus americana*) is in Canada's Wood Buffalo National Park. Aransas National Wildlife Refuge in Texas is the primary wintering area for whooping cranes. In the spring and fall, the cranes migrate, primarily along the Central Flyway. During the migration, whooping cranes make numerous stops, roosting in relatively large, shallow marshes and feeding and loafing in harvested grain fields. The primary threats to whooping cranes are power lines, illegal hunting, and habitat loss (USFWS 2023e).

The whooping crane is federally listed and has the potential to occur in all counties of North Dakota. The Project is located within the migration corridor where 75–95% of whooping cranes travel. Land use within the Project is a mixture of cropland and rangeland, and oil/gas development. The USFWS Database (USFWS 2022) shows Dunn County has 16 verified whooping crane sightings and McKenzie County has nine. The closest confirmed sighting to the Project was of two adults and one juvenile whooping crane in 1992, approximately one mile from the Project in Sec. 18, T146N, R95W.

Noise and vehicle activity during construction activities may cause migratory cranes to divert from the area but would be unlikely to contribute to any indirect or direct effect that would result in an increase of fatalities and, therefore, would be considered insignificant. If a crane is sighted within 1.0 mile of the Project area, construction activities utilizing heavy equipment would be suspended, and the sighting would be promptly reported to the USFWS. In coordination with the USFWS, suspended activities would resume once the bird(s) have left the area. Flight diverters will be installed on the transmission line to minimize bird strikes. **Appendix D** of the Natural Resources Inventory Report contains BEPC's Avian and Bat Protection Plan.

Dakota Skipper

The Dakota skipper (*Hesperia dacotae*), a prairie obligate species, requires nectar-producing native flowers and native grasses. Historically, Dakota skippers have been associated with relatively low, wet, prairie-dominated, high-quality, tall grass prairie habitat (Type A habitat). Researchers have found that Dakota skippers also use upland mixed grass prairie that is relatively dry and includes ridges and hillsides (Type B habitat; USFWS 2023f). These habitats often have small inclusions of areas with species more commonly typified with tall grass prairie. Larvae require grass components of mixed-grass prairie that include bluestem grasses (*Andropogon* spp.) and needlegrasses, while adults require nectar sources; therefore, suitable prairie must include nectar producing forbs. These forbs may include purple coneflower (*Echinacea purpurea*), blue bells (*Campanula rotundifolia*), blanket flower (*Gaillardia aristata*), wood lily (*Lilium philadelphicum*), or other species that are in bloom during the adult life cycle of the Dakota skipper (Dana 1991). The nearest USFWS designated critical habitat for the Dakota skipper is located approximately 19.5 miles north of the Project. The species is known to occur in Dunn and McKenzie counties and the Project is within the USFWS's known range of the Dakota skipper (USFWS 2023b).

A desktop assessment of habitat within the Survey Corridor was used to divide habitat into one of two basic habitat groups: grassland habitat and unsuitable habitat. The assessment identified 644.4 ac (260.8 ha, 49%) of grassland habitat and 659.5 ac (266.9 ha; 51%) of unsuitable habitat. The field survey was conducted within the identified grassland habitat to determine if suitable habitat was present. Suitable habitat is defined as native grassland that contains one or more primary constituent elements for the

skipper to complete its entire life cycle, including breeding, feeding/foraging, and sheltering behaviors (USFWS 2014a).

Field surveys were conducted in all grassland areas to determine if suitable Dakota skipper habitat was present. The field survey recorded 5.98 acres (less than 1%) of suitable habitat within the Survey Corridor. The figures in the Natural Resources Report (**Appendix F**) depict the locations of suitable habitat and dispersal habitat within the Survey Corridor.

BEPC has designed the Project to minimize impacts to suitable habitat for the DASK. This includes routing access trails around potential habitat and placing pole structures outside of potential habitat. To minimize the impacts to foraging or dispersing adult DASK, a 500-meter avoidance buffer will be placed around suitable habitat locations. Existing surfaced roads within the buffers may be used for travel, but construction within the buffers will not occur during the flight window. Dust abatement may be necessary on gravel surfaced roads during the flight window. The flight period is typically 14 days long between the dates of June 10 – July 25 and dates may be adjusted based on annual observations by the USFWS.

The buffers collectively cover approximately 7.4 miles of the Project as depicted in **Figures 4a-4e** of the Natural Resources Report (**Appendix F**). The avoidance and minimization effort follows the guidance of the March 2023 *USFWS Timing/Buffer Recommendations* (USFWS 2023g).

Piping Plover

The piping plover (*Charadrius melodus*) is a migratory shorebird that breeds in North Dakota. Suitable nesting habitat for piping plovers includes alkaline wetlands and the shoreline of the Missouri River system; this habitat has been characterized as sparsely vegetated channel sandbars, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel. The piping plover feeds on worms, insects, and mollusks. The decline of piping plover populations is due to the loss of habitat from river impoundment(s), as well as the degradation of habitat related to the channelization river systems, nest predation, and human disturbance (USFWS 1985).

Critical habitat for the Northern Great Plains piping plover has been designated on alkali lakes and wetlands, the Yellowstone River, and Missouri River in North Dakota. The physical and biological features that are essential to the conservation of the species, referred to as the primary constituent elements, require special consideration for protection. These include sparsely vegetated alkaline wetlands, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel. This Project is approximately 9.5 miles west of the nearest critical habitat, which is the Missouri River system (USFWS 2023b). The field survey documented that the Survey Corridor is predominantly cropland and contains wetlands and waterbodies that are well vegetated and do not provide bare ground suitable for nesting habitat.

Rufa Red Knot

The red knot (*Calidris canutus*) is a shorebird breeds in the central Canadian Arctic, with primary breeding grounds in Nunavut Territory, but some potential breeding habitat extending into the Northwest Territories (USFWS 2013b). The rufa red knot (*C. canutus rufa*) winters along the Atlantic coasts of Argentina and Chile (particularly the island of Tierra del Fuego), the north coast of Brazil, and further north into Mexico and the southeast U.S. (USFWS 2014b). During migration, the rufa red knot primarily follows the Atlantic coastline to and from breeding and wintering grounds. However, geolocator results from red knots wintering in Texas showed that a comparatively small population of birds migrate using the Central Flyway across the Midwestern US and may have a northern Great Plains stopover (USFWS 2013b). Rufa red knots spend two to three months annually on the breeding grounds located in northern Canada.

Red knots are specialized molluscivores, feeding primarily on hard-shelled mollusks in relatively soft, wet sand/sediment (USFWS 2014b). In addition to mollusks, red knots may feed upon shrimp, crabs, marine

worms, horseshoe crab (*Limulus* spp.) eggs, and other similar invertebrates. On the breeding grounds, rufa red knots feed mostly on terrestrial invertebrates and grass shoots and seeds (USFWS 2013a).

The shoreline of the Missouri River provides stopover habitat for red knots utilizing a midcontinental migratory route during annual migrations. However, the species is rare and is not reported in North Dakota every year. Reported historical sightings since 1900 (Igl 2015) are primarily composed of single individuals or relatively small flocks; however, on rare occasions, larger flocks have been reported. Many of these sightings have been made in the prairie pothole region during the spring migration in late April through May. An increase in future sightings may result from an increase in public awareness.

The red knot migrates twice annually from its breeding grounds in the Arctic to wintering habitat in southern climates. It does not nest in North Dakota but may use areas along the Missouri River as stopover habitat. The Project is located approximately 9.5 miles west of the Missouri River system, and the Survey Corridor does not have suitable shoreline stopover habitat for the rufa red knot.

Monarch Butterfly

The monarch butterfly (*Danaus plexippus*) is currently a candidate for listing under the ESA, and a listing decision is currently anticipated in 2024. Candidate species do not receive statutory protections under the ESA, but are reevaluated annually for listing priority, and, therefore, are likely to be listed in the future.

The species occurs throughout the Great Plains and much of North America. Monarchs prefer open habitats with flowering plants and lay their eggs exclusively on milkweeds (*Asclepias* spp.), which the larvae feed on until pupation (USFS 2021). Monarch butterflies will breed in North Dakota during the summer and migrate south to Mexico for the winter; eventually, the butterflies will make their way back to North Dakota during spring migration. Suitable habitat, including wetlands, roadsides with common milkweed (*Asclepias syriaca*), and upland grassland habitat with flowering species, was observed during the field survey. Much of the herbaceous habitat is rangeland used for livestock grazing or grasslands in roadside ditches. Due to the presence of suitable habitat, it is possible for this species to occur within the Survey Corridor.

Bald Eagle

Bald eagles may occur in North Dakota as breeders, winter residents, migrants, or year-round residents. In North Dakota the key nesting areas and primary range are the Missouri River system including Lake Sakakawea, the Heart River, Cannonball River, Sheyenne River, Red River, Souris River, and the Devils Lake basin. Bald eagles can also nest in areas not considered traditional nesting habitat such as small stands of large cottonwood trees surrounded by cropland or grassland. The Study Area is located within the secondary range of the key nesting areas (Dyke et al. 2015).

During the non-breeding season bald eagles will concentrate near large bodies of water where the water remains unfrozen and will roost up to 20 miles from foraging sites, depending on abundance of prey (USFWS 2023h).

An aerial survey of the Project Survey Corridor plus a 1-mile buffer on either side was conducted on April 24, 2023. One active bald eagle nest was documented during the survey. The nest is in the NW1/4 of Section 36, T148N, R96W. The nest is approximately 345 feet from the Project centerline. Due to geological landslide hazards in the area, the Project cannot be moved further from the nest. BEPC has applied for a USFWS Eagle Nest Disturbance Permit and will have possession of the Permit prior to construction.

Golden Eagle

Golden eagles may occur in North Dakota as breeders, winter residents, migrants, or year-round residents (Dyke et al. 2015). Golden eagles are most commonly associated with open and semi-open habitats such

as shrublands, grasslands, woodland-brushlands, and coniferous forests as well as in farmland and riparian habitats. In North Dakota the golden eagle primary range for nest site selection is along the badlands and Lake Sakakawea breaks. The Study Area is located within the secondary range for nest site selection. Golden eagles in North Dakota nest mainly west of the Missouri River (Dyke et al. 2015).

5.8.2 Impacts/Mitigation

In order to minimize impacts to threatened and endangered species, BEPC will implement mitigation measures in addition to the list below if requested by USFWS. No irreversible damage to rare or unique animal or plant species is anticipated. Individual species are discussed below. BEPC will implement the following mitigation measures for the Project:

- Prior to surface disturbance activities during the migratory bird (not including raptors) breeding season (April 15 through July 15), a qualified biologist will survey suitable habitat within the ROW (i.e., non-cultivated land) for nesting activity and other evidence of nesting (e.g., mated pairs, territorial defense, birds carrying nest material, transporting food). If active nests are located, or other evidence of nesting is observed, appropriate protection measures, including establishment of buffer areas and constraint periods, will be implemented until the young have fledged and dispersed from the nest area. These measures will be implemented on a site-specific and species-specific basis, in coordination with applicable state and federal agencies, as appropriate.
- If construction is to occur during the breeding season for raptors (February 1 through August 15), prior to construction activities, raptor breeding surveys will be conducted by a qualified biologist through areas of suitable nesting habitat to identify any active nest sites within 0.5 mile (1.0 mile for bald eagles) from the Project Corridor. If applicable, appropriate protection measures, including seasonal constraints and establishment of buffer areas will be implemented at active nest sites until the young have fledged and have dispersed from the nest area. These measures will be implemented on a site-specific and species-specific basis, in coordination with applicable state and federal agencies.
- Standard measures to minimize avian collision risk with overhead transmission lines, as outlined in the Avian Power Line Interaction Committee (APLIC) *Reducing Avian Collisions with Power Lines* (2012), will be examined and appropriate measures will be developed in coordination with applicable state and federal agencies.
- Adequate raptor proofing designs, as described in the APLIC *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006* (2006), will be implemented on the structures in coordination with applicable state and federal agencies.
- Holes that are drilled or excavated for pole placement or foundation construction and left unattended overnight will be marked and secured with temporary fencing and plywood covers to reduce the potential for livestock and wildlife entering the holes and for public safety.

Northern Long-eared Bat

There is little suitable roosting or foraging habitat in the Study Area and no known hibernacula in North Dakota for the NLEB. Occurrence of the species in North Dakota is expected to be uncommon or rare (USFWS 2013b). Limited tree clearing is needed for the Project. To reduce the potential to impact NLEB at the tree clearing locations, BEPC has committed to conducting tree clearing activities from November 1 to March 31. If localized tree clearing activities could not be conducted during this window, presence/absence surveys would occur, and tree removal would happen immediately following a negative survey.

Whooping Crane

Power lines represent a documented collision mortality risk for whooping cranes (Stehn and Wassenich 2008). Standard measures to minimize avian collision risk with overhead transmission lines,

as outlined in the APLIC *Reducing Avian Collisions with Power Lines* (2012), will be examined and appropriate measures will be developed in coordination with applicable state and federal agencies.

Dakota Skipper

Suitable reproductive and/or foraging habitat for the Dakota skipper is located within the project Corridor. BEPC has designed the Project to minimize impact(s) to suitable habitat for the Dakota skipper. This includes routing access trails around potential habitat and placing pole structures outside of potential habitat. To avoid potentially impacting adult Dakota skippers, construction activities will not occur within 500 meters of suitable habitat during the flight period. The flight period is typically 14 days long between the dates of June 10 to July 25.

Piping Plover

With the absence of preferred nesting habitat which is limited to sandy or gravelly beaches and sandbars or alkaline wetlands, it is unlikely that the Project will affect the piping plover. However, it is possible, but unlikely, that piping plovers may occur within the Study Area.

Rufa Red Knot

The Project is located approximately 9.5 miles west of the Missouri River system, and the Survey Corridor does not have suitable shoreline stopover habitat for the rufa red knot. Desktop analysis supported with field studies have concluded that no suitable habitat is present within the Project area. With the absence of preferred stopover habitat, it is unlikely that the Project will affect the rufa red knot. However, it is possible, but unlikely, that red knots may occur within the Study Area.

Monarch Butterfly

Suitable habitat, including wetlands, roadsides with common milkweed, and upland grassland habitat with flowering species, was observed during the field survey. Much of the herbaceous habitat is rangeland used for livestock grazing or grasslands in roadside ditches. Due to the presence of suitable habitat, it is possible for this species to occur within the Survey Corridor

Bald and Golden Eagle

The transmission line will be outfitted with bird flight diverters following APLIC guidelines, which will also increase visibility of the lines for large raptors such as eagles, thereby reducing collision risk with the transmission lines. BEPC has applied for an Eagle Nest Disturbance Permit from USFWS. Construction would not commence until the permit is obtained.

6.0 PUBLIC AND AGENCY COORDINATION

BEPC and its representatives contacted key local, state, and federal agencies per Section 69-06-01-05 of the NDAC for assistance in identifying concerns or issues within the Study Area. BEPC has maintained close coordination with landowner stakeholders throughout the process via in-person meetings, mailers, and phone calls. Each landowner received a pamphlet that detailed specific information about the Project such as Project permitting, design and construction, construction, maintenance, and landowner relations (**Appendix B**). Public and agency correspondence as of November 2023 is included in **Appendix G**. An agency consultation summary table is also included in **Appendix G**.

7.0 POTENTIAL PERMITS/APPROVALS

Table 20 outlines the federal, state, county, and township permits or approvals that have been identified as potentially required for the construction and operation of the Project. Permits dependent on the final Project layout will be applied for after receiving Commission approval, but prior to construction.

Table 20. Potential Permits and Approvals Required

Agency	Type of Approval	Status*	Need
Federal			
Bureau of Indian Affairs	Finding of No Significant Impact	1	Required for compliance with National Environmental Policy Act (NEPA) on affected Tribal and Allotted lands
Bureau of Land Management	Finding of No Significant Impact ROW Easement	2	Required for compliance with NEPA on affected Federal (BLM) Lands. Required for land use easement.
U.S. Environmental Protection Agency	Spill Prevention, Control, and Countermeasure Plan	3	Required if more than 1,320 gallons of oil storage is located on-site.
U.S. Fish and Wildlife Service (USFWS)	Section 7 Consultation Eagle Nest Disturbance Permit	2	Effects determination for NEPA compliance. Required for construction within 600 feet of active eagle nest.
State of North Dakota			
North Dakota Public Service Commission	Certificate of Site Compatibility and Route Permit Transmission Facility	2	Required for construction of transmission facility.
State Historical Society of North Dakota (SHSND)	Concurrence with effect determination	2	Compliance with Section 106 of the National Historic Preservation Act of 1966
North Dakota Department of Environmental Quality	National Pollutant Discharge Elimination System Permit: General Construction Storm Water	3	Required for disturbance of over one acre of land and a stormwater pollution prevention plan must be prepared.
North Dakota Highway Patrol	Oversize/Overweight Permit	3	Required to transport oversize loads on state-maintained roads.
North Dakota Department of Transportation	Road Approach/Access Permit	N/A	Required for construction of access roads from state highways.
	Utility Permit/Risk Management Documents	3	Required for utility crossings on state highway rights-of-way.
North Dakota State Water Commission	Drainage Permit	N/A	The Project will not drain a pond, slough, lake or sheet water, or any series thereof, that has a watershed area (i.e., drainage area) of 80 acres or more.
	Conditional or Temporary Permit for water appropriation	N/A	No water appropriation required.
	Water Permit	N/A	Required if drilling a well. Not required for the Project.

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Agency	Type of Approval	Status*	Need
North Dakota Department of Trust Lands (NDDTL)	Rights-of-Way Easement	2	Required for transmission lines on NDDTL.
County/Townships			
McKenzie County Commission	Conditional Use Permit	3	Required for all new utilities in the county.

*Status Explanation:

- 1 Completed and approved.
- 2 Applied and/or decision pending.
- 3 Will apply for prior to construction as applicable.

8.0 QUALIFICATIONS OF CONTRIBUTORS

Table 21. Qualifications of Contributors

Name	Responsibilities	Education and Experience
Basin Electric Power Cooperative		
Bobby Nasset	Project Manager	B.S. Civil Engineering Registered Professional Engineer 15 Years of Experience
Erin Dukart	Environmental/Permitting	B.S. Biology 15 Years of Experience
Ryan King	Environmental/Permitting	Master of Natural Resources Management B.S. Construction Management 12 Years of Experience
Mike Murray	Right-of-Way	A.A. Business Administration B.S. Management SR/WA (Senior ROW designation) 26 Years of Experience
Jason Brekke	GIS Analyst	B.S. Geography 18 Years of Experience
WEST		
Todd Hartleben	Project Manager and Application Lead	B.S. Civil Engineer, Biology 30 Years of Experience
Chad Tucker	Application Preparation	B.S. Biology 18 Years of Experience
Metcalf Archaeological Consultants, Inc.		
Damita Engel	Cultural Resources Class III Inventory	B.A. Anthropology Master of Anthropology, Specialization in Cultural Resource Management 34 Years of Experience

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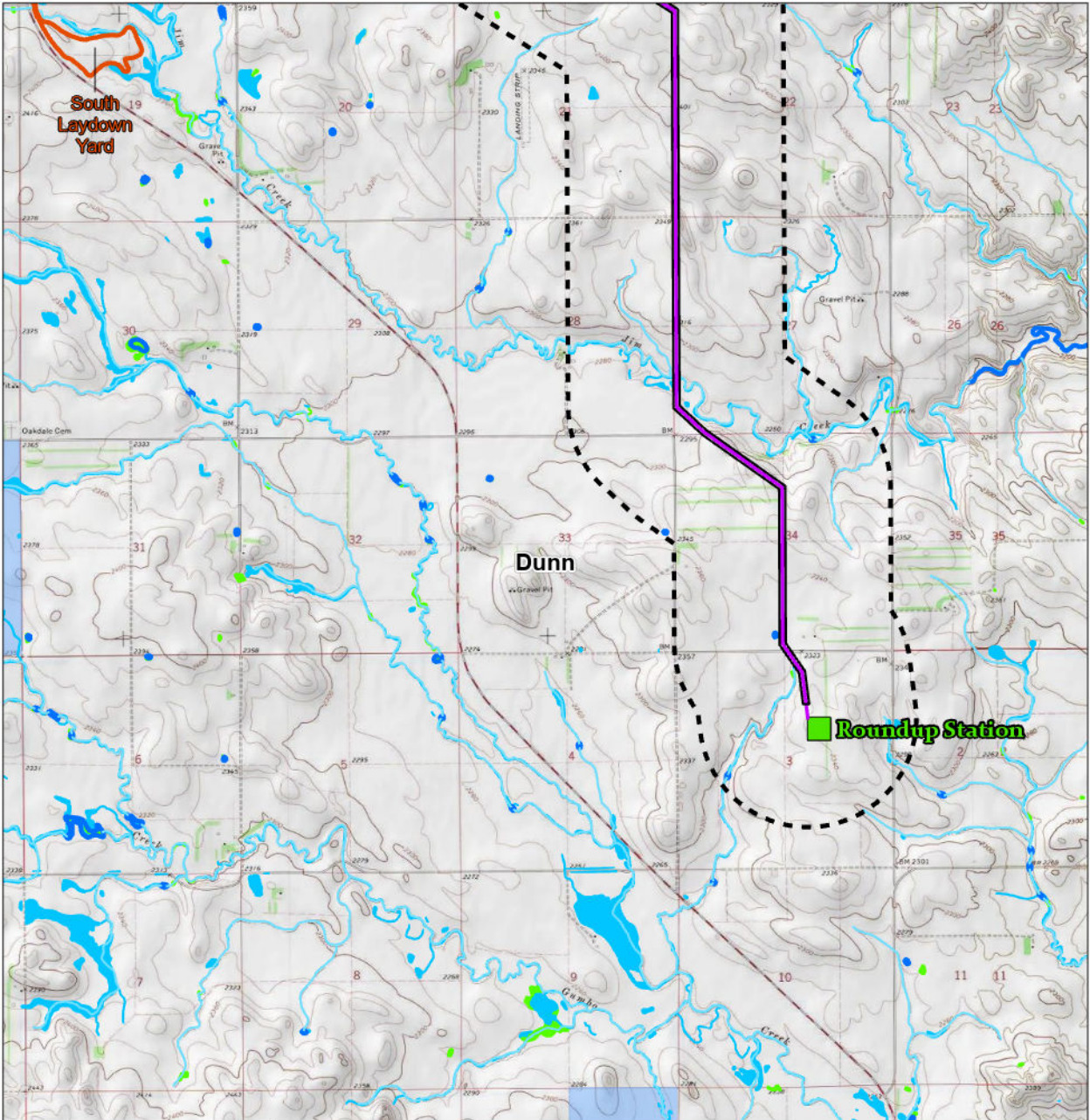
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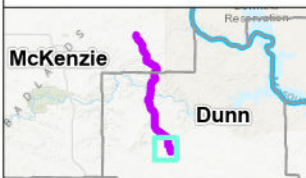
10.0 ACRONYMS AND ABBREVIATIONS

APLIC	Avian Power Line Interaction Committee
BEPC	Basin Electric Power Cooperative
BGEPA	Bald and Golden Eagle Protection Act
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
Certificate	Certificate of Corridor Compatibility
CFR	Code of Federal Regulations
Commission	North Dakota Public Service Commission
CUP	Conditional Use Permit
EA	Environmental Assessment
EMF	electromagnetic fields
EMR	electromagnetic radiation
ESA	Endangered Species Act
FBIR	Fort Berthold Indian Reservation
FEMA	Federal Emergency Management Agency
FLPMA	Federal Land Policy and Management Act
FONSI	Finding of No Significant Impact
ft ²	square feet
ICBM	Intercontinental ballistic missile
kV	kilovolt
Metcalf	Metcalf Archaeological Consultants, Inc.
MHA	Mandan, Hidatsa, and Arikara Nations
NDAC	North Dakota Administrative Code
NDCC	North Dakota Century Code
NDDTL	North Dakota Department of Trust Lands
NEPA	National Environmental Policy Act
NESC	National Electrical Safety Code
NIEHS	National Institute of Environmental Health Sciences
NLEB	northern long-eared bat
NOA	Notice of Availability
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
OPGW	Optical Ground Wire
Project	Roundup to Kummer Ridge 345-kilovolt Transmission Line
Route Permit	Transmission Facility Route Permit
ROW	right-of-way
SCADA	Supervisory Control and Data Acquisition
SHSND	State Historical Society of North Dakota
SPCC	Spill Prevention, Control, and Countermeasure
SPP	Southwest Power Pool Inc.
SWPPP	Storm Water Pollution Prevention Plan
USACOE	U.S. Army Corps of Engineers
USC	U.S. Code
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WEST	Western EcoSystems Technology, Inc.
WNS	white-nose syndrome

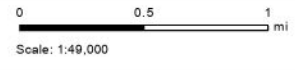
Appendix A
Project Maps and Figures



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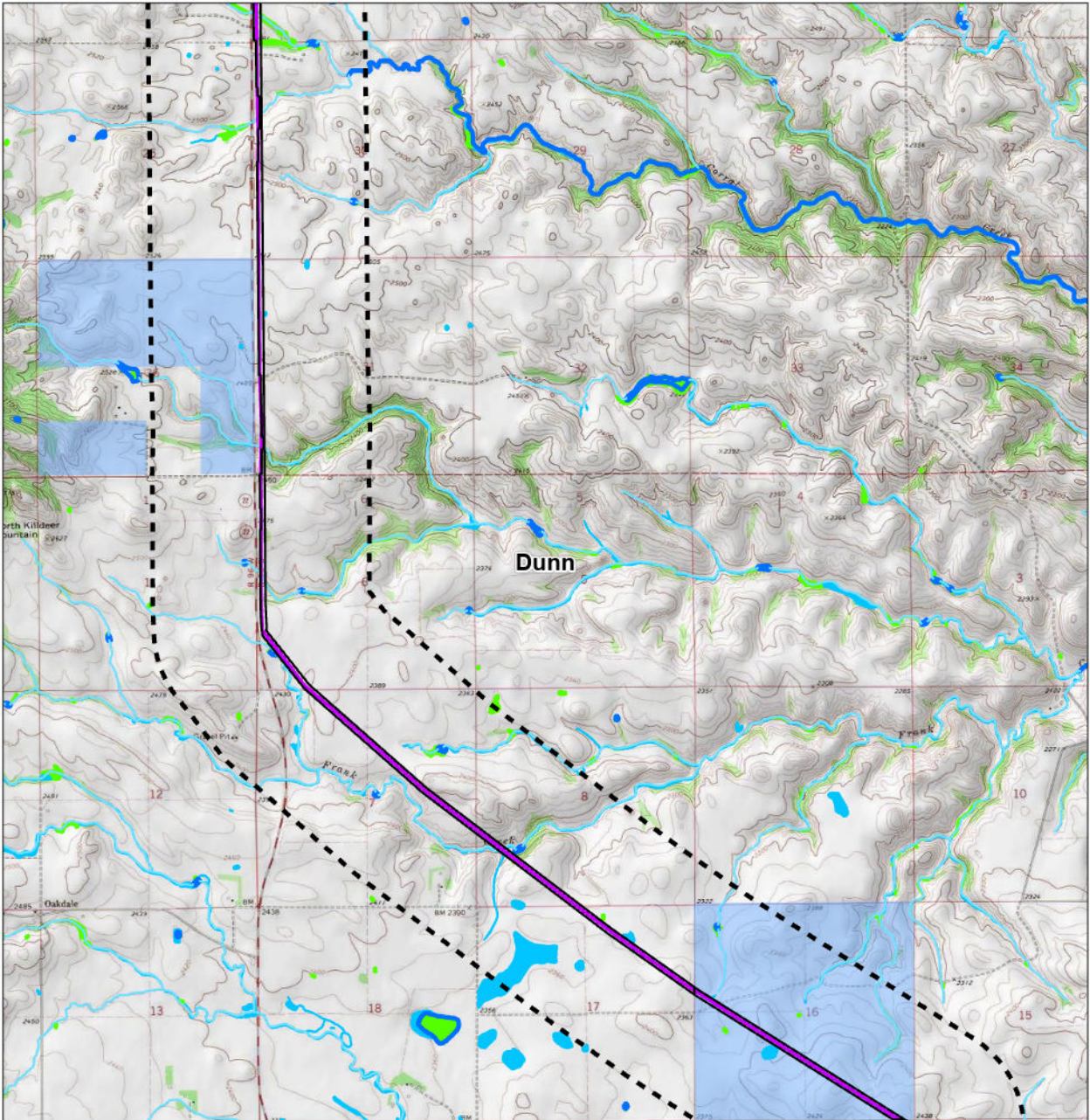


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| Proposed Project | Study Area | State Trust |
| National Hydrology Dataset | Laydown Yard | National Wetland Inventory |
| Intermittent Stream | Fort Berthold Reservation | Freshwater Wetland |
| Perennial Stream | Bureau of Land Management | Waterbody |
| Project Corridor | US Forest Service | BEPC Station |

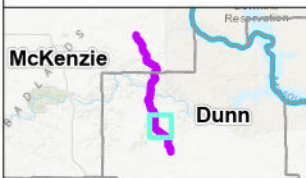


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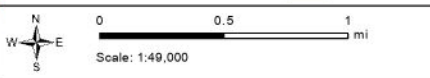




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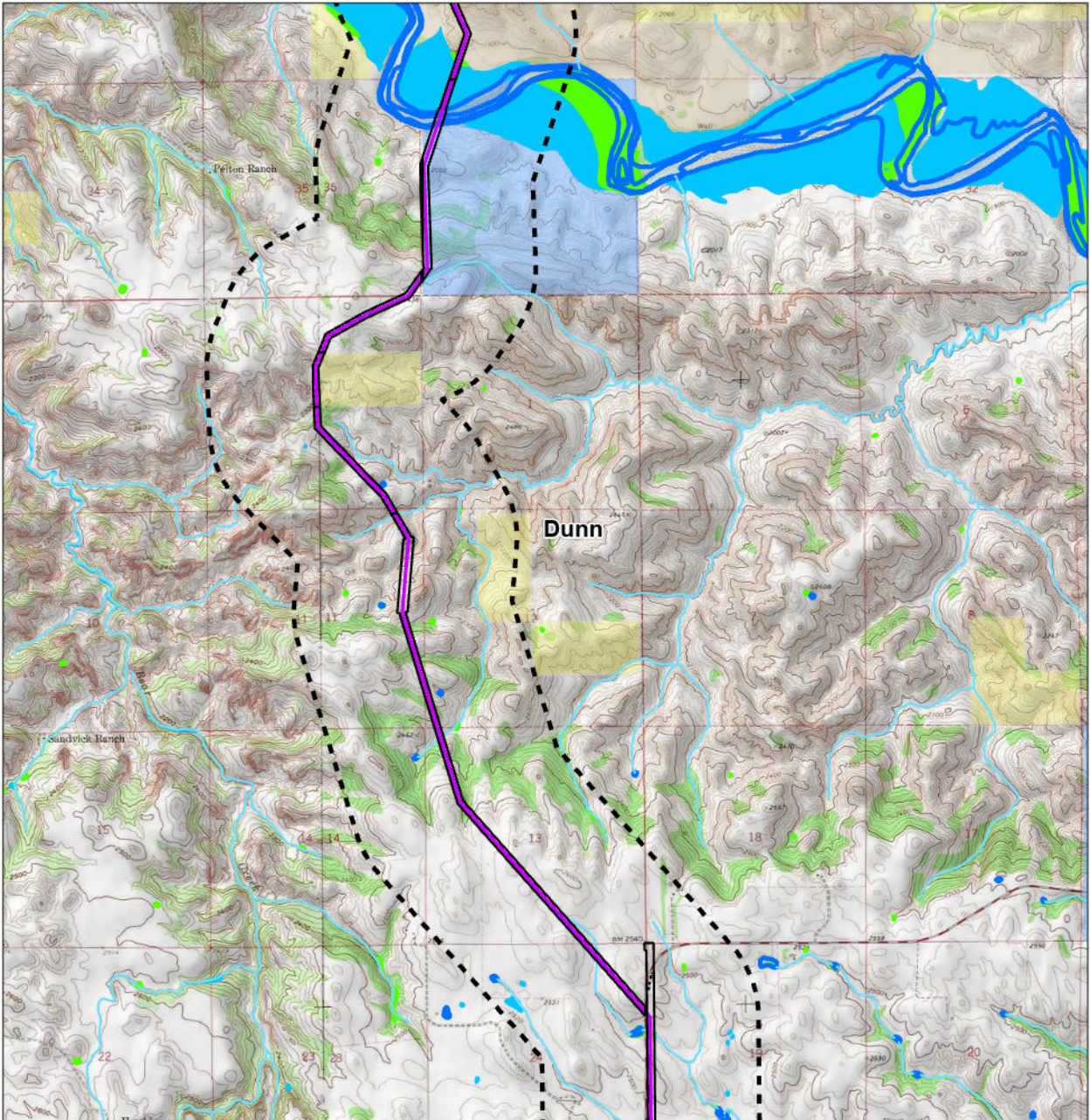


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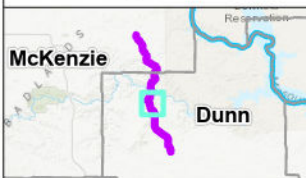


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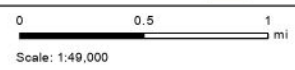
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- Proposed Project
- Study Area
- Intermittent Stream
- Perennial Stream
- Project Corridor

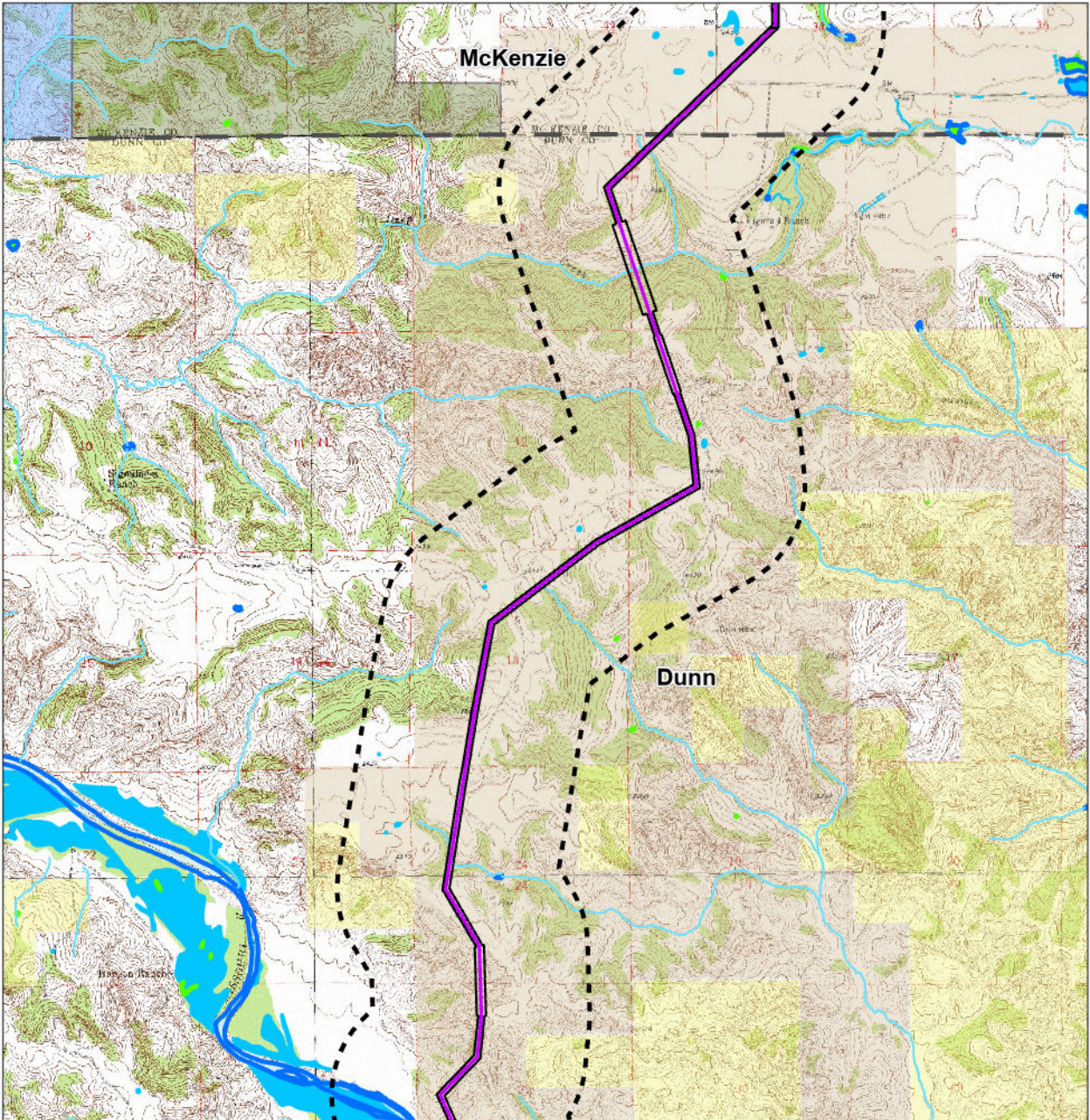
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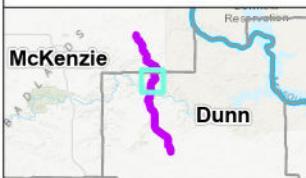



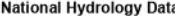
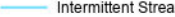




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




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-  National Hydrology Dataset
-  Intermittent Stream
-  Perennial Stream
-  Project Corridor

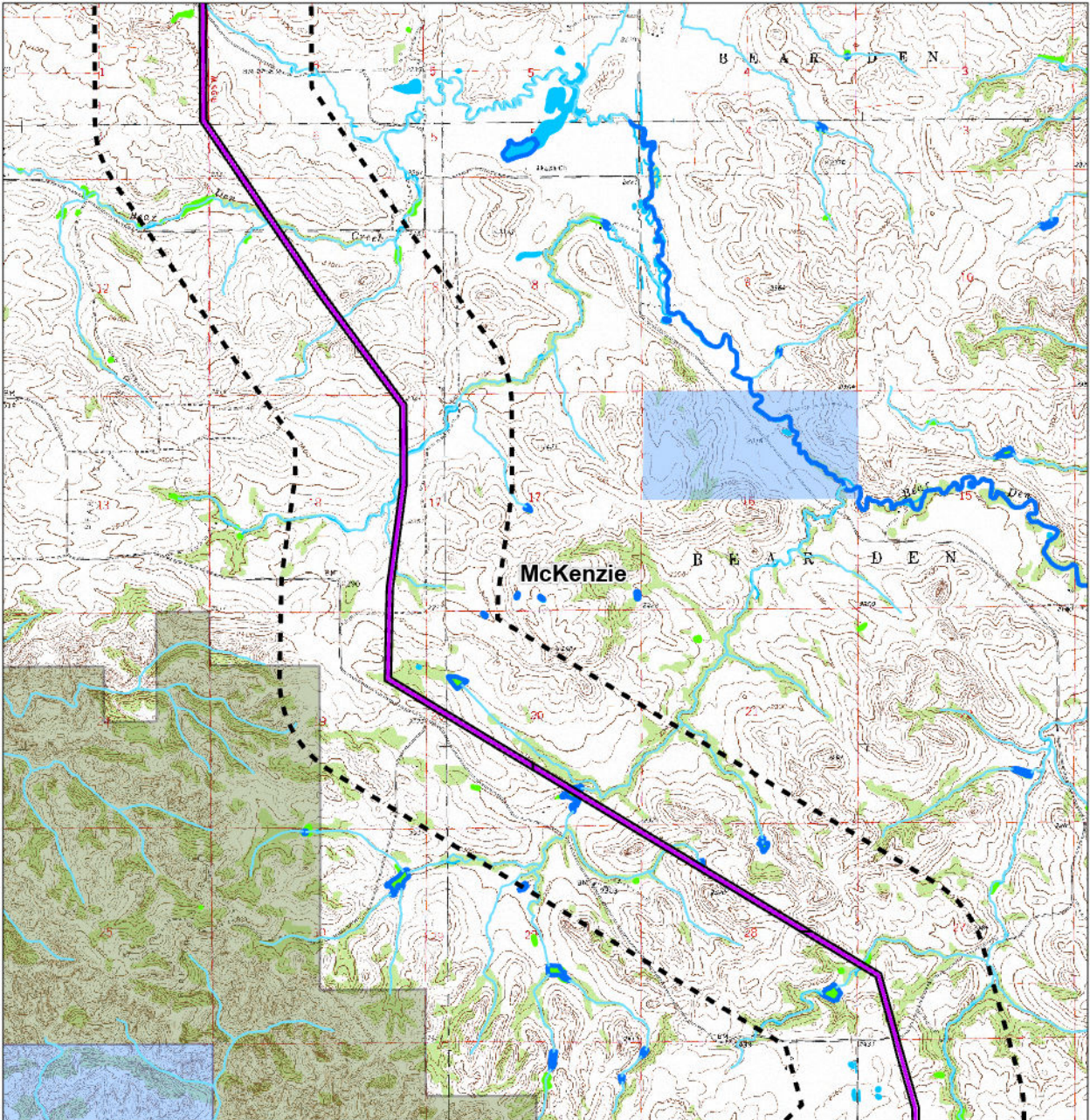
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-  National Wetland Inventory
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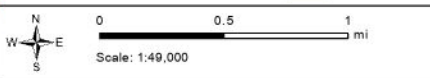
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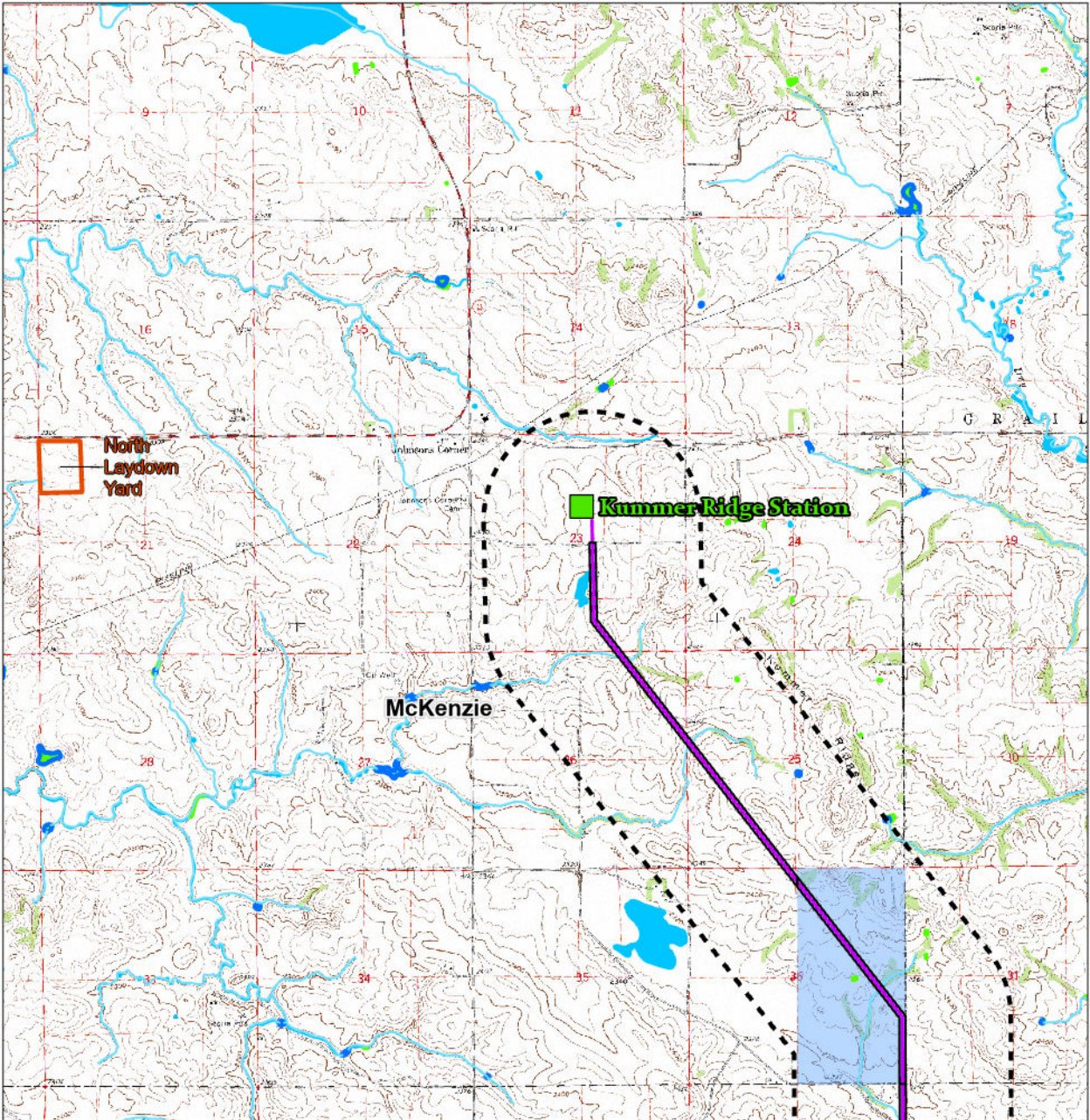
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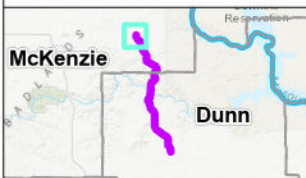


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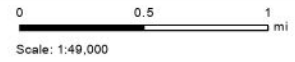




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Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/2/2023 Author: C. Tucker





	<p>Natural Resources - Aerial</p> <p>Coordinate System: NAD 1983 UTM Zone 13N Date: 11/10/2023 Author: C. Tucker Scale: 1:12,000</p> <p>0 0.5 mi</p>	<p>Proposed Project</p> <p>— Proposed Project</p> <p>Access Trail</p> <p>— Previously disturbed</p> <p>— Two-track</p> <p>— Undisturbed</p>	<p>Study Area</p> <p>— Study Area</p> <p>— Survey Corridor (300-ft)</p> <p>— Access Survey Corridor (30-ft)</p> <p>▲ Potentially Occupied Structure within 500 ft of Centerline</p>	<p>■ Potentially Occupied Structure within Study Area</p> <p>● Structure</p> <p>Natural Resource Field Data</p> <p>■ Noxious Weeds</p>	<p>■ DASK Habitat</p> <p>■ Tree Removal Area</p> <p>■ Waterbody</p> <p>■ Wetland</p>	<p>■ DASK Dispersal Habitat</p> <p>● Active Bald Eagle Nest</p> <p>■ County Boundary</p> <p>— Access Survey Corridor (30-ft)</p>	<p>N W—E S</p>
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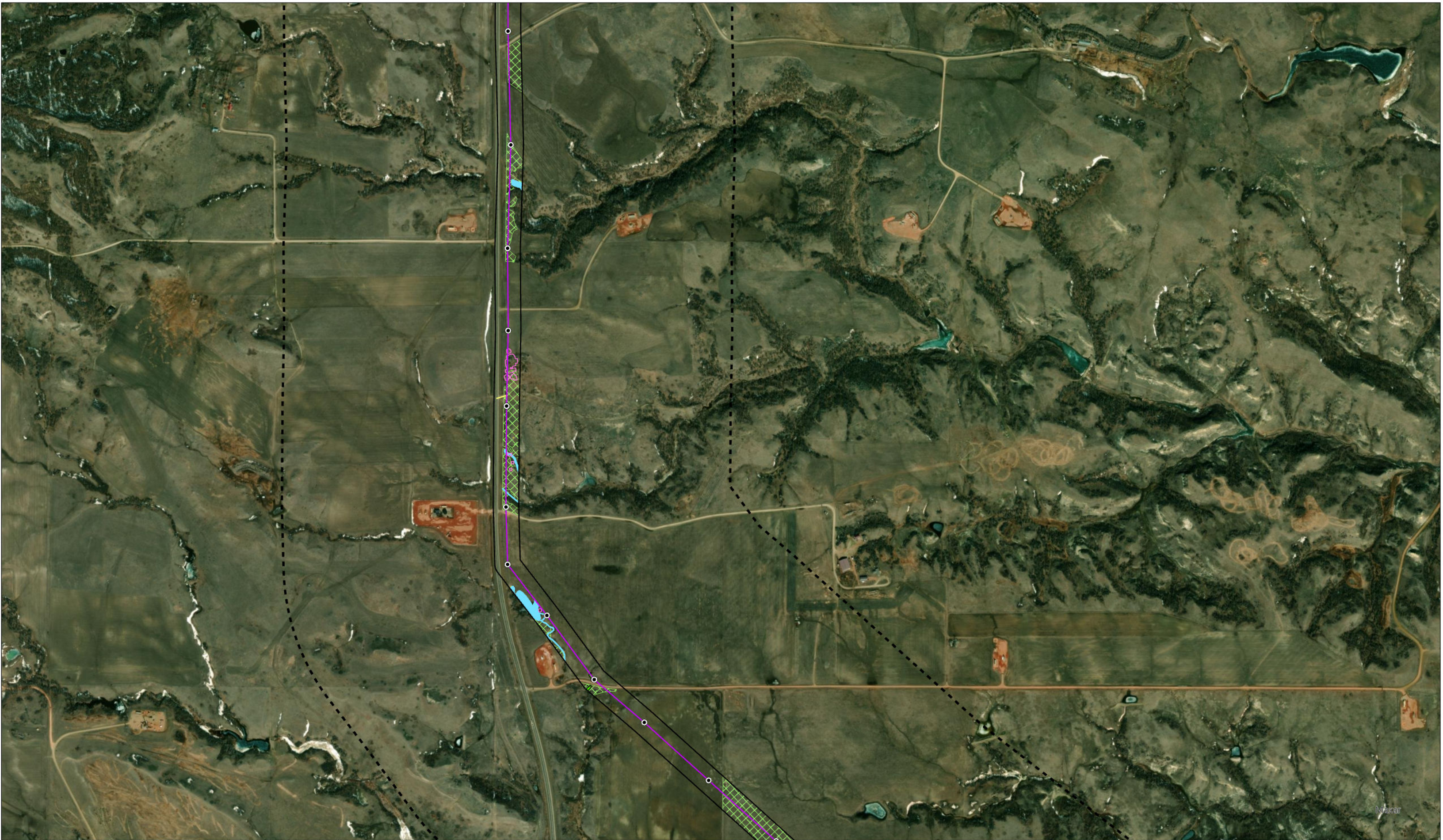
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	<p>Natural Resources - Aerial</p> <p>Coordinate System: NAD 1983 UTM Zone 13N Date: 11/10/2023 Author: C. Tucker Scale: 1:12,000</p> <p>0 0.5 mi</p>	<p>Proposed Project</p> <p>— Proposed Project</p> <p>Access Trail</p> <p>— Previously disturbed</p> <p>— Two-track</p> <p>— Undisturbed</p>	<p>Study Area</p> <p>— Study Area</p> <p>— Survey Corridor (300-ft)</p> <p>— Access Survey Corridor (30-ft)</p> <p>▲ Potentially Occupied Structure within 500 ft of Centerline</p>	<p>■ Potentially Occupied Structure within Study Area</p> <p>● Structure</p> <p>Natural Resource Field Data</p> <p>■ Noxious Weeds</p>	<p>■ DASK Habitat</p> <p>■ Tree Removal Area</p> <p>■ Waterbody</p> <p>■ Wetland</p>	<p>■ DASK Dispersal Habitat</p> <p>● Active Bald Eagle Nest</p> <p>■ County Boundary</p> <p>— Access Survey Corridor (30-ft)</p>	<p>N W — E S</p> <p>WEST</p>
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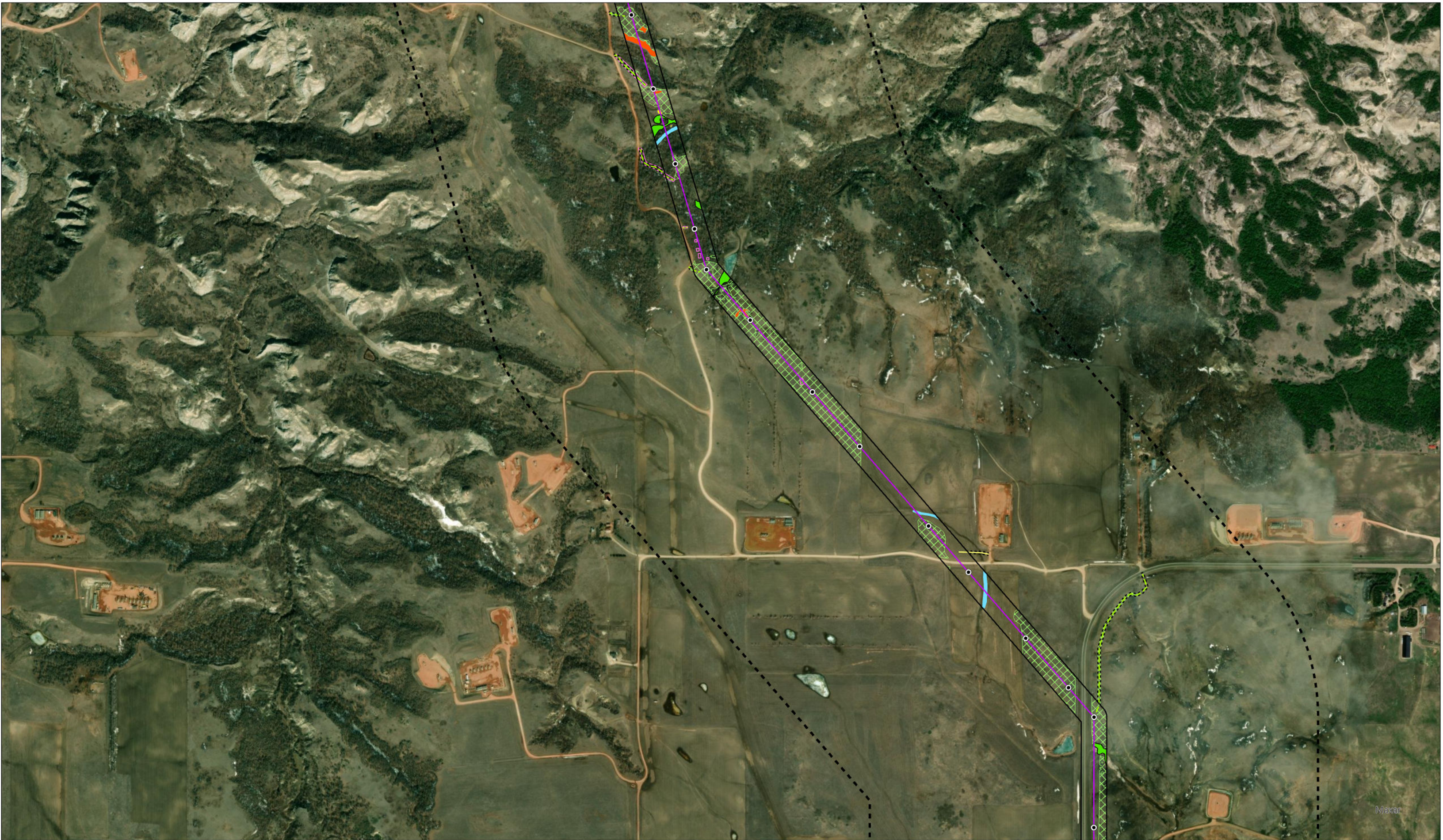
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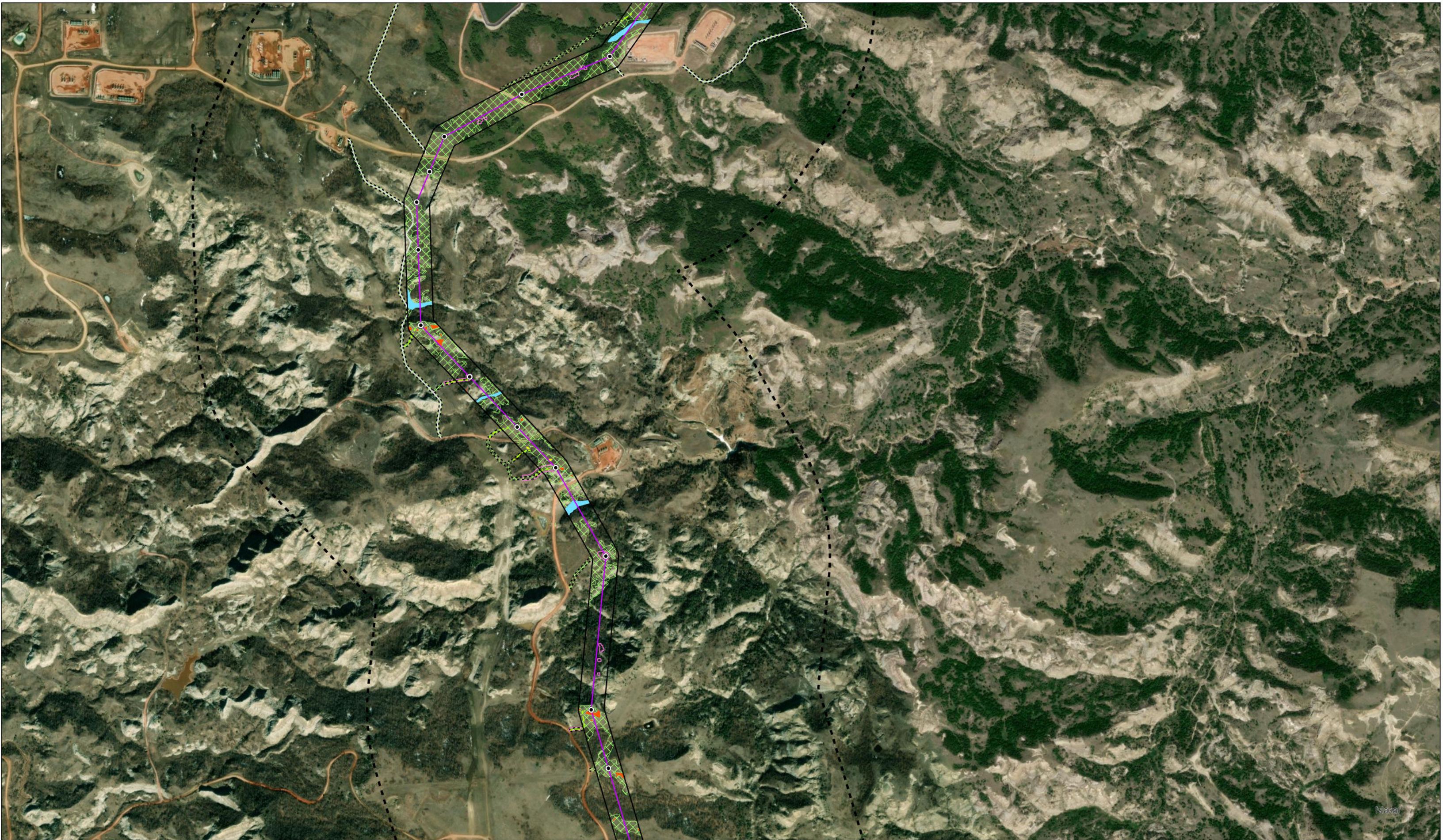
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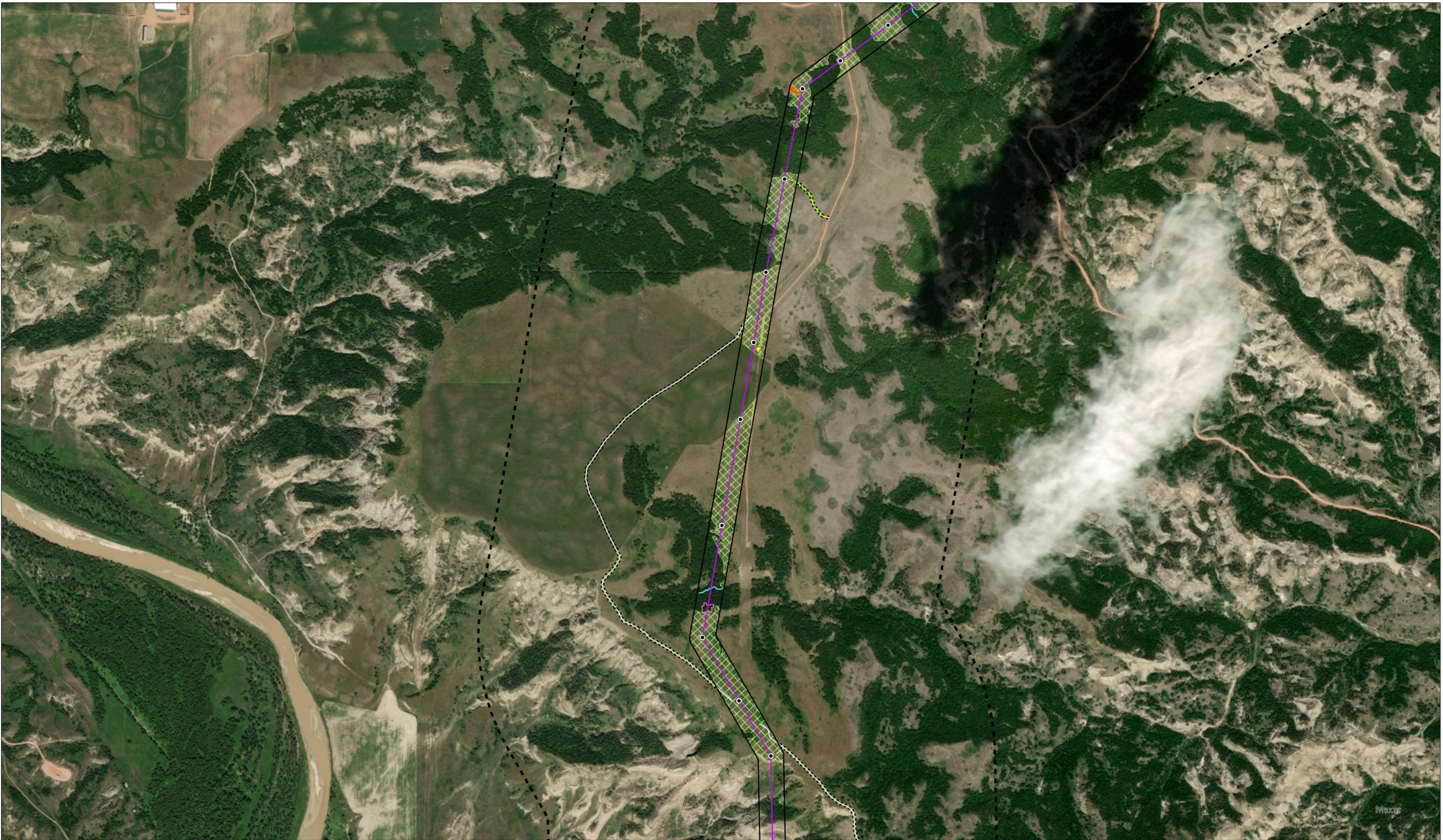
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<p>McKenzie</p> <p>Dunn</p>	<p>Natural Resources - Aerial</p> <p>Coordinate System: NAD 1983 UTM Zone 13N Date: 11/10/2023 Author: C. Tucker Scale: 1:12,000</p>	<p>Proposed Project</p> <p>Access Trail</p> <ul style="list-style-type: none"> Previously disturbed Two-track Undisturbed 	<p>Study Area</p> <p>Survey Corridor (300-ft)</p> <p>Access Survey Corridor (30-ft)</p> <p>Potentially Occupied Structure within 500 ft of Centerline</p>	<p>Potentially Occupied Structure within Study Area</p> <p>Structure</p> <p>Natural Resource Field Data</p> <ul style="list-style-type: none"> Noxious Weeds 	<ul style="list-style-type: none"> DASK Habitat Tree Removal Area Waterbody Wetland 	<ul style="list-style-type: none"> DASK Dispersal Habitat Active Bald Eagle Nest County Boundary Access Survey Corridor (30-ft) 	
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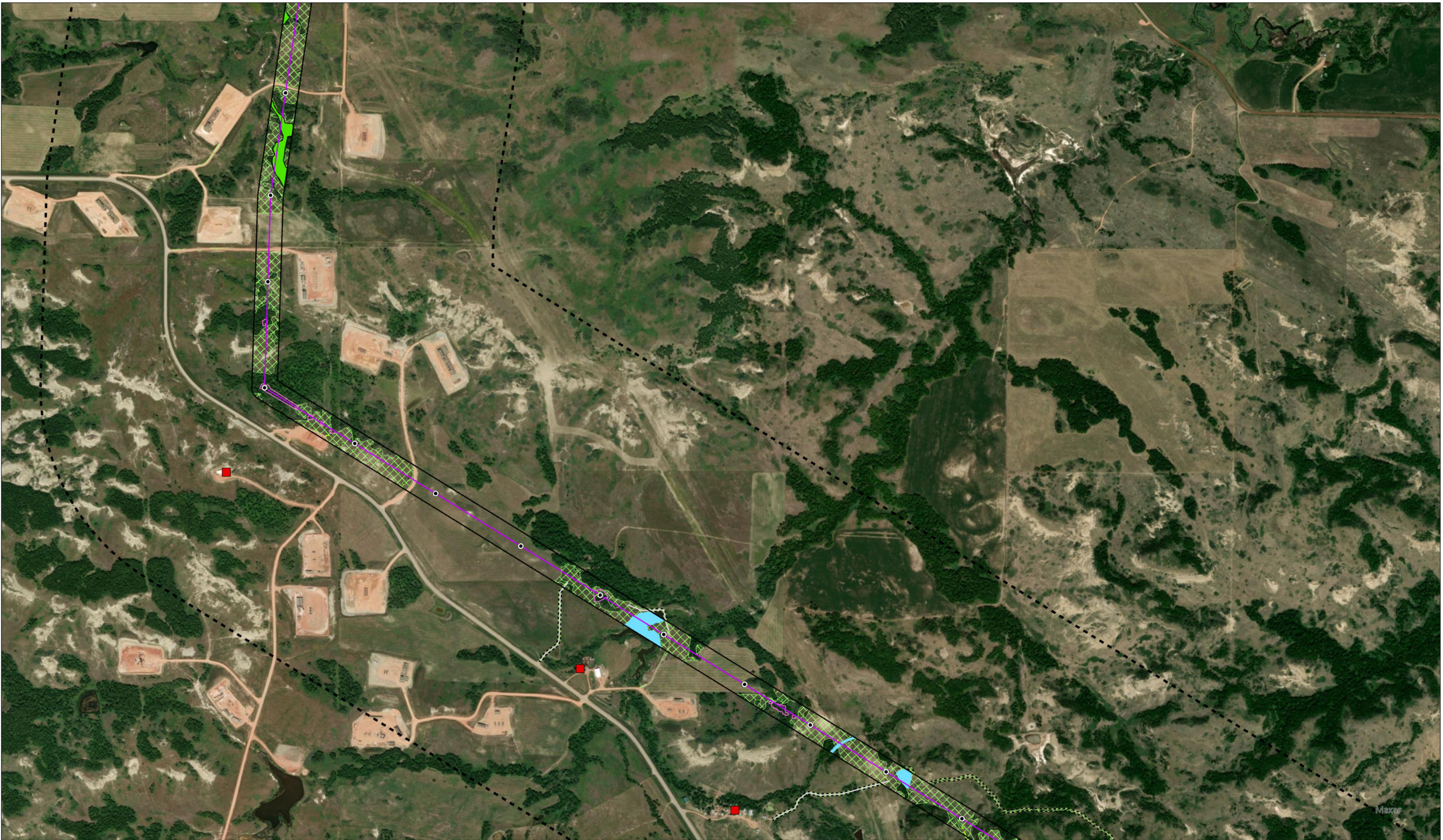
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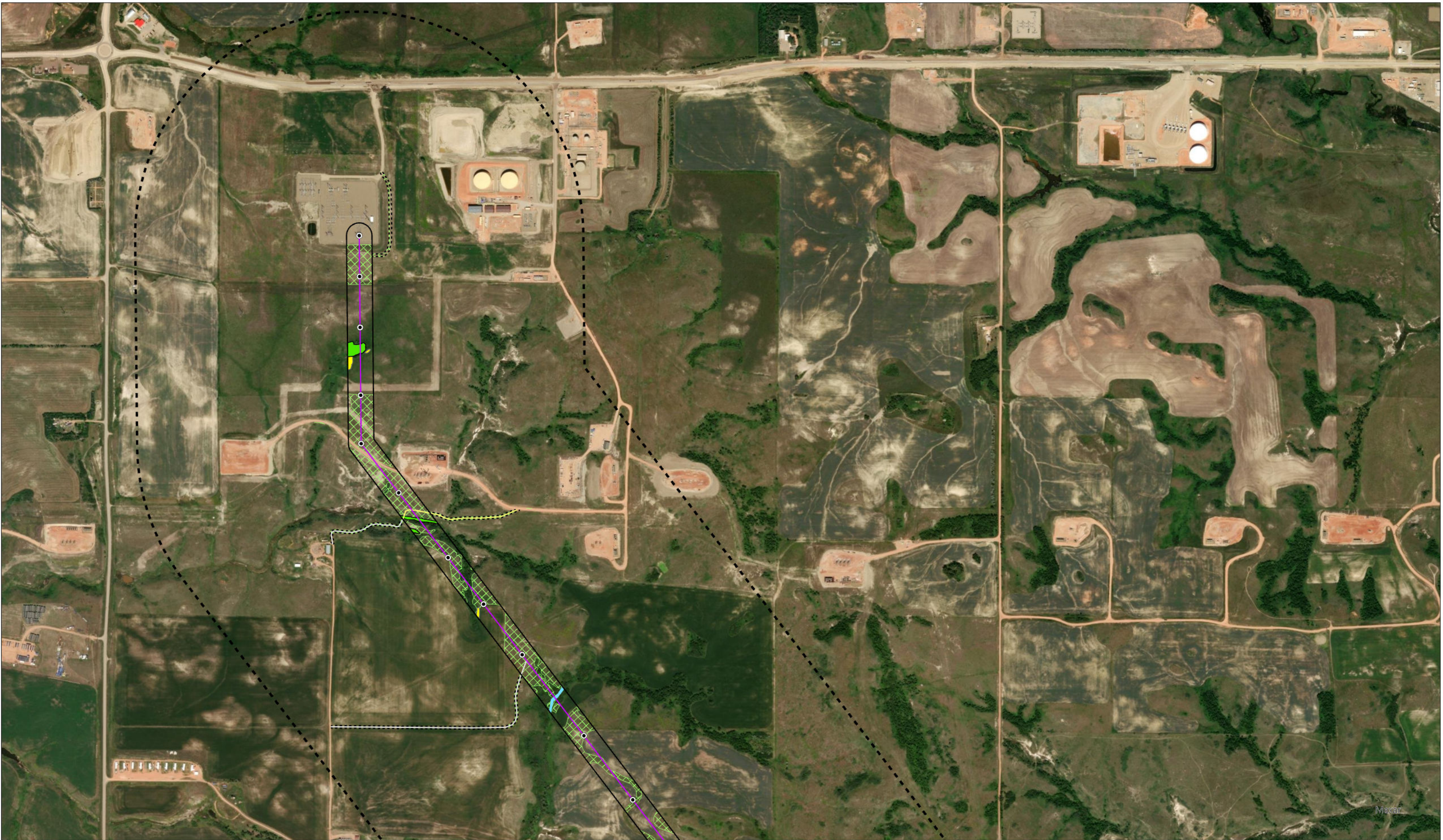
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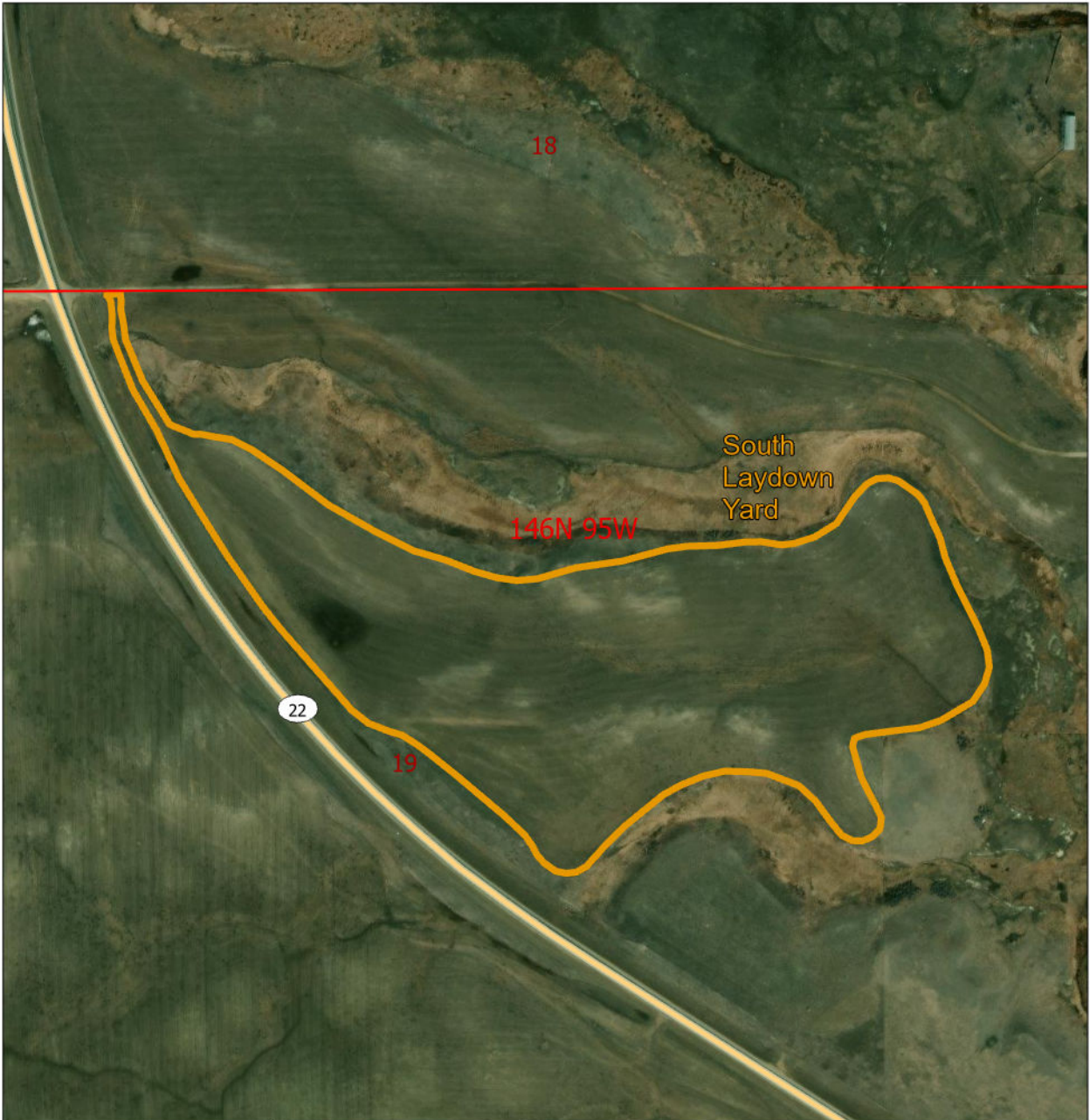
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	Natural Resources - Aerial		Proposed Project	Study Area	Potentially Occupied Structure within Study Area	DASK Habitat	DASK Dispersal Habitat
	Coordinate System: NAD 1983 UTM Zone 13N Date: 11/10/2023 Author: C. Tucker Scale: 1:12,000		Access Trail Previously disturbed Two-track Undisturbed	Survey Corridor (300-ft) Access Survey Corridor (30-ft) Potentially Occupied Structure within 500 ft of Centerline	Structure Natural Resource Field Data Noxious Weeds	Tree Removal Area Waterbody Wetland	Active Bald Eagle Nest County Boundary Access Survey Corridor (30-ft)



Roundup to Kummer Ridge
Transmission Project
Dunn and McKenzie Counties

— Proposed Project

— Laydown Yard

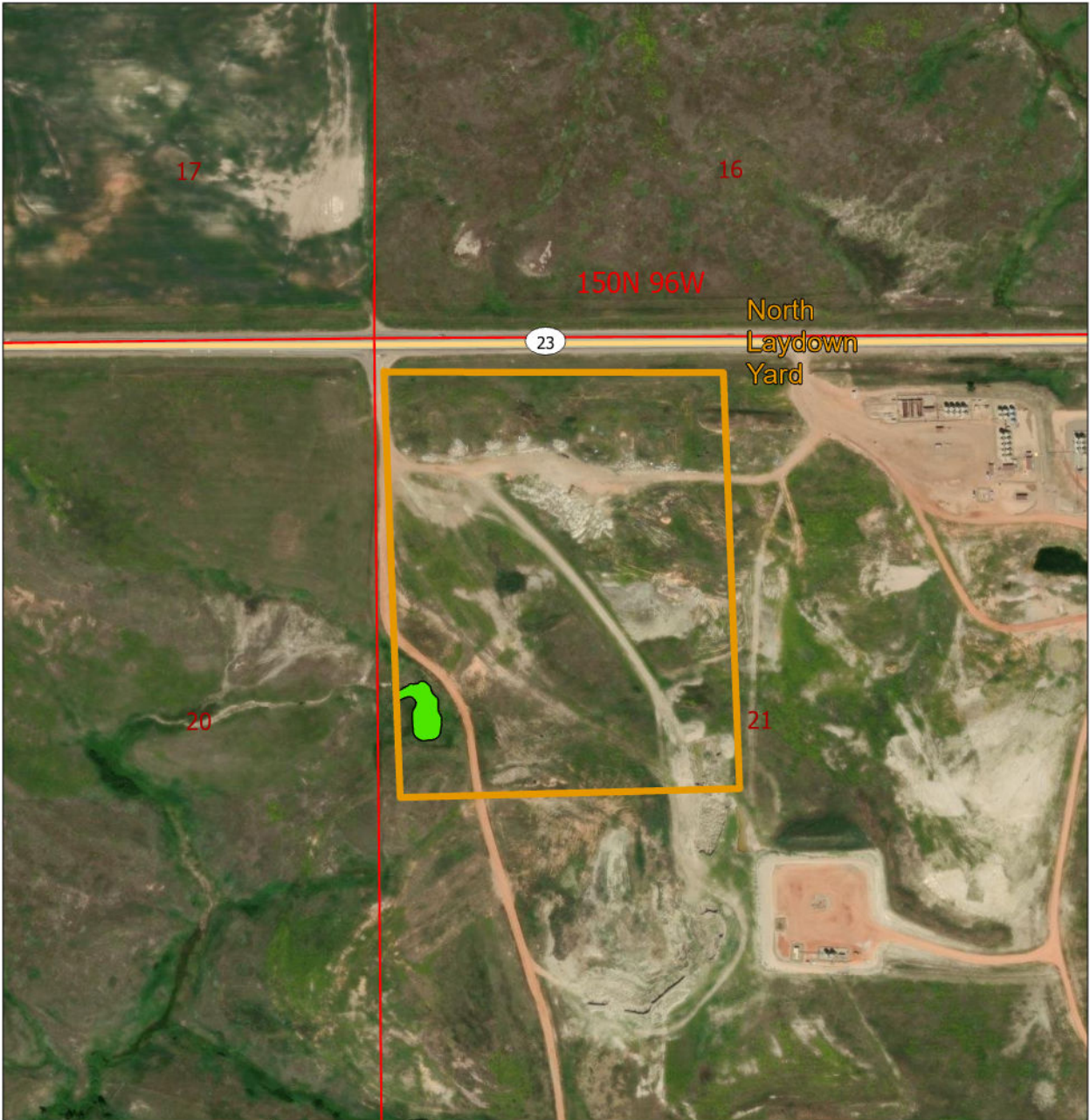
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— Wetland



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Date: 11/2/2023 Author: C. Tucker





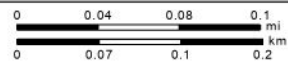
Roundup to Kummer Ridge
Transmission Project
Dunn and McKenzie Counties

— Proposed Project

▭ Laydown Yard

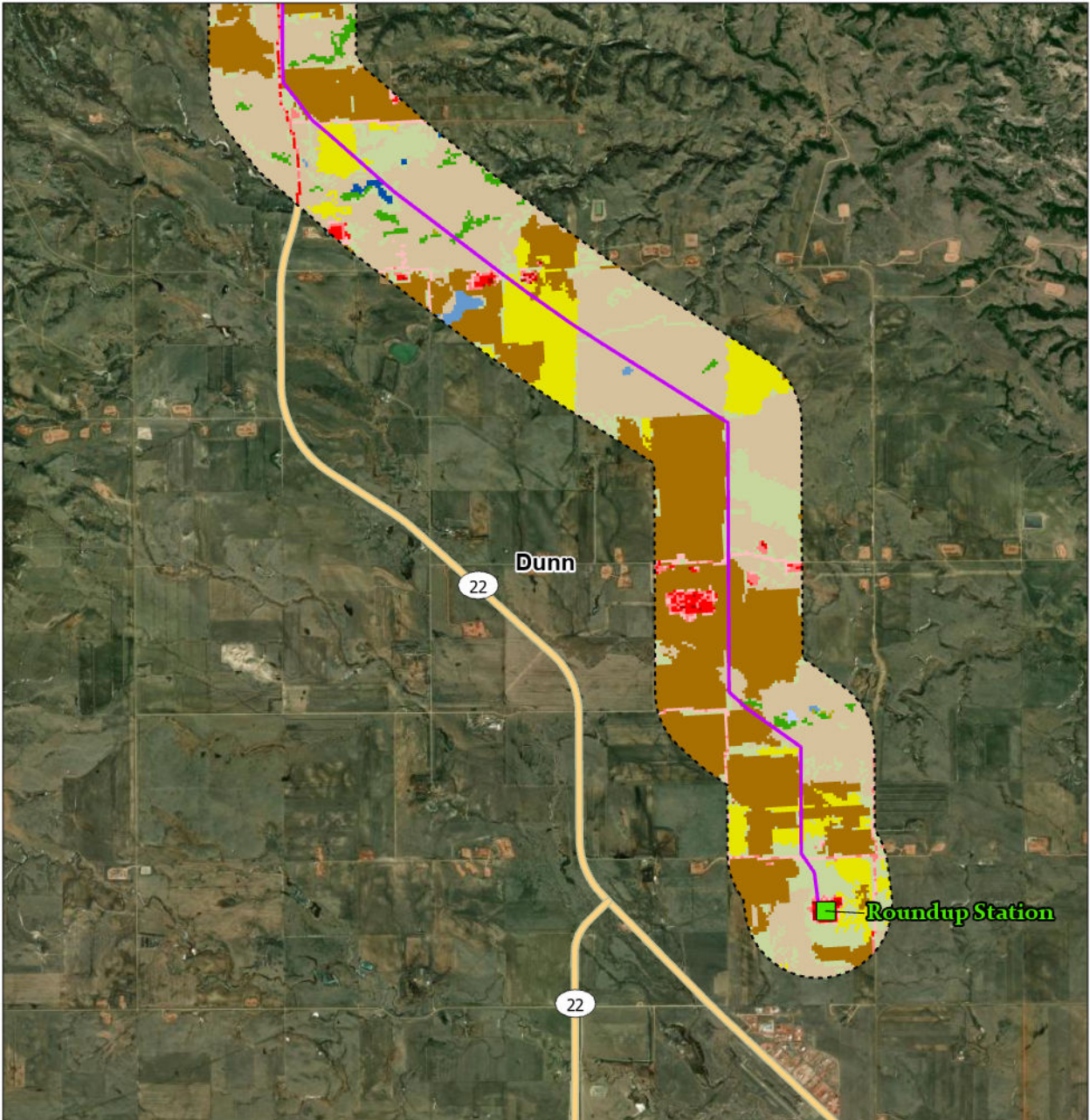
▭ PLSS Section

▭ Wetland



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Date: 11/2/2023 Author: C. Tucker





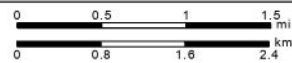
**Roundup to Kummer Ridge
Transmission Project**
Dunn and McKenzie Counties

- Proposed Project
- Study Area
- NLCD Land Use / Cover**
- Open Water

- Developed, Open Space
- Developed, Low Intensity
- Developed, Medium Intensity
- Developed, High Intensity

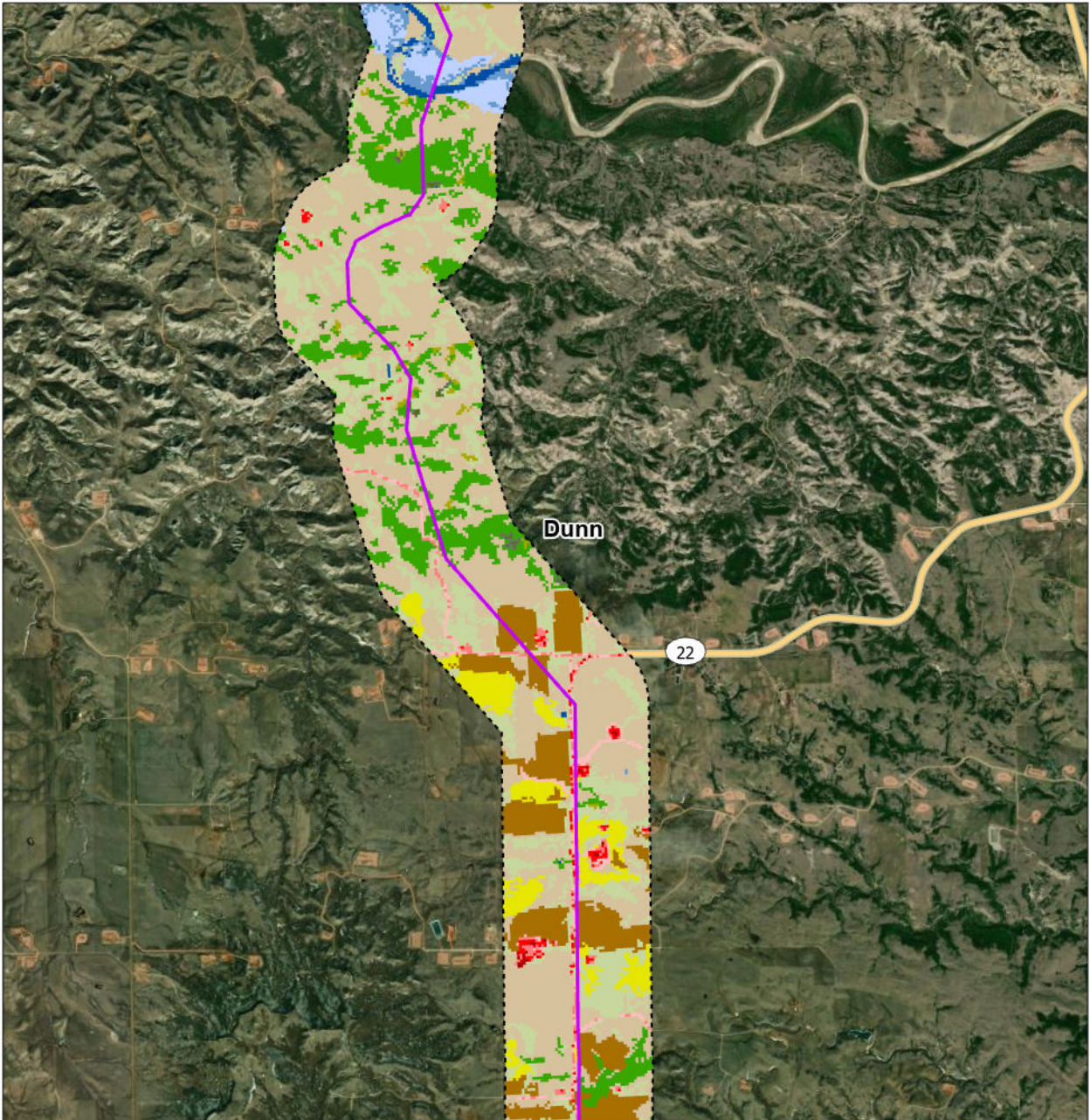
- Deciduous Forest
- Mixed Forest
- Shrub/Scrub
- Herbaceous

- Hay/Pasture
- Cultivated Crops
- Woody Wetlands
- Emergent Herbaceous Wetlands



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 10/27/2023 Author: C. Tucker





**Roundup to Kummer Ridge
Transmission Project**
Dunn and McKenzie Counties

— Proposed Project

--- Study Area

NLCD Land Use / Cover

■ Open Water

■ Developed, Open Space

■ Developed, Low Intensity

■ Developed, Medium Intensity

■ Developed, High Intensity

■ Barren Land

■ Deciduous Forest

■ Evergreen Forest

■ Mixed Forest

■ Shrub/Scrub

■ Herbaceous

■ Hay/Pasture

■ Cultivated Crops

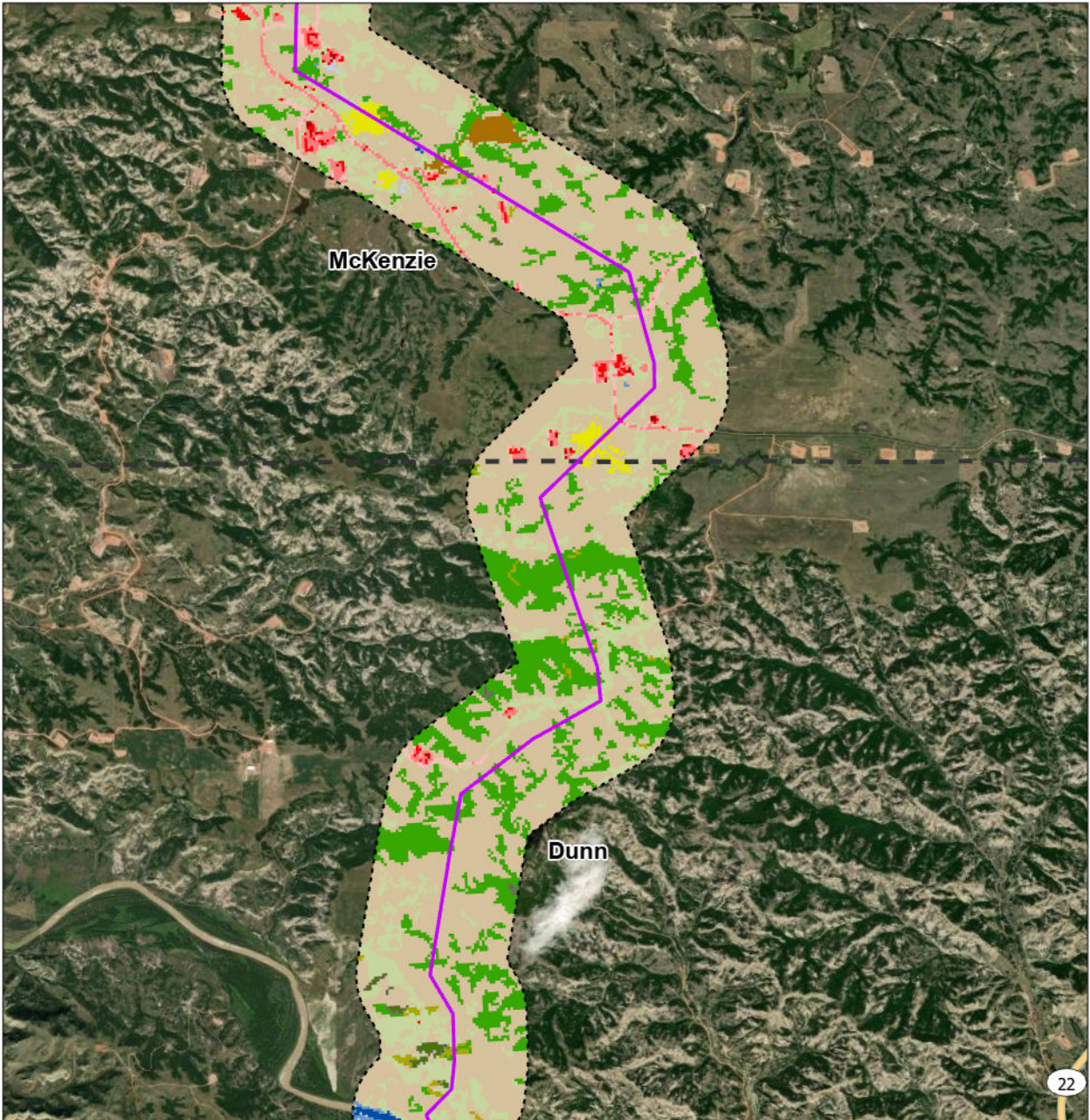
■ Woody Wetlands

■ Emergent Herbaceous Wetlands



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Date: 10/27/2023 Author: C. Tucker





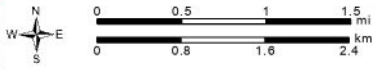
McKenzie

Dunn

22

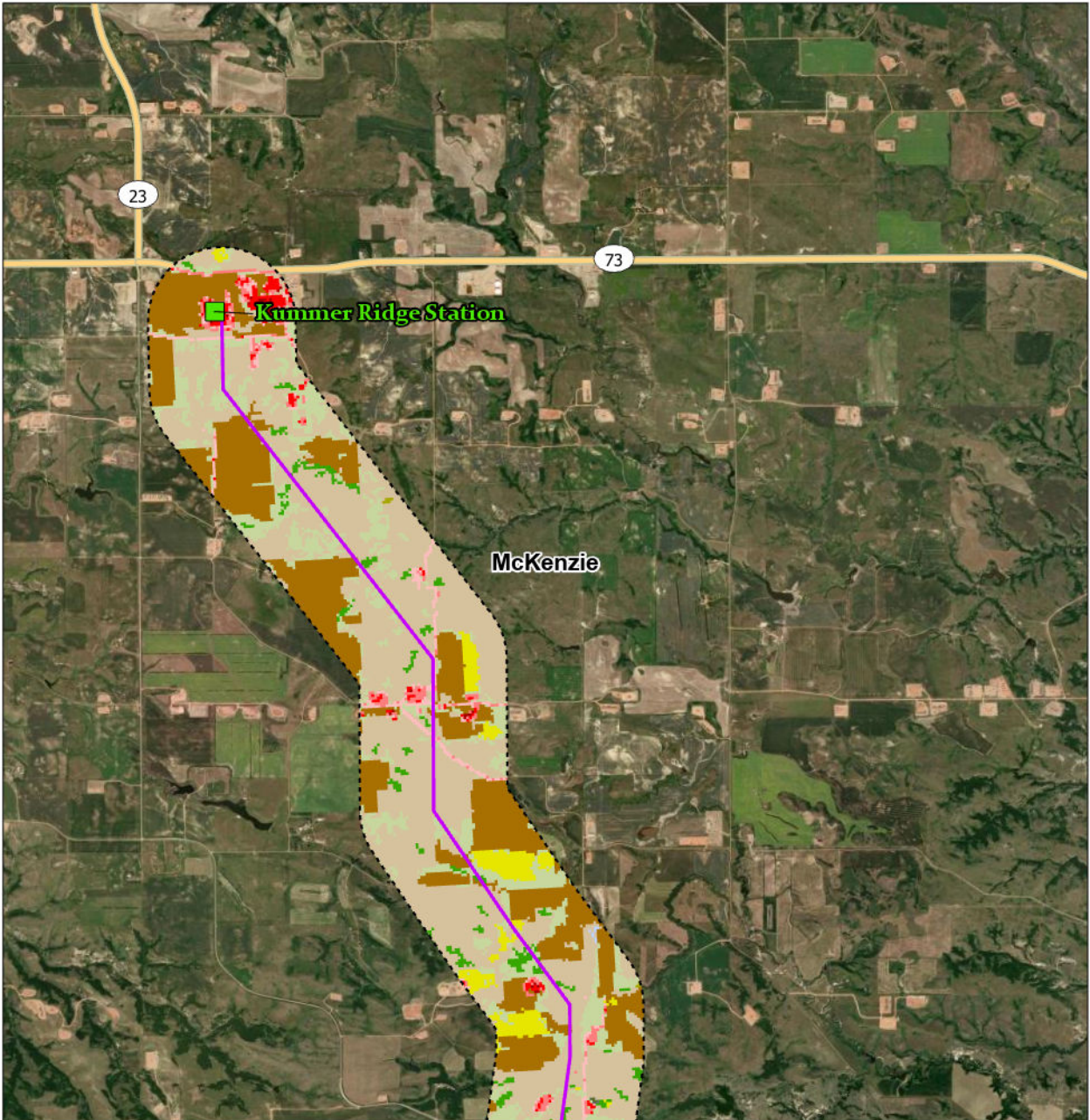
**Roundup to Kummer Ridge
Transmission Project**
Dunn and McKenzie Counties

- | | | | |
|------------------------------|-----------------------------|------------------|------------------------------|
| Proposed Project | Developed, Low Intensity | Evergreen Forest | Cultivated Crops |
| Study Area | Developed, Medium Intensity | Mixed Forest | Woody Wetlands |
| NLCD Land Use / Cover | Developed, High Intensity | Shrub/Scrub | Emergent Herbaceous Wetlands |
| Open Water | Barren Land | Herbaceous | |
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Coordinate System: NAD 1983 UTM Zone 13N
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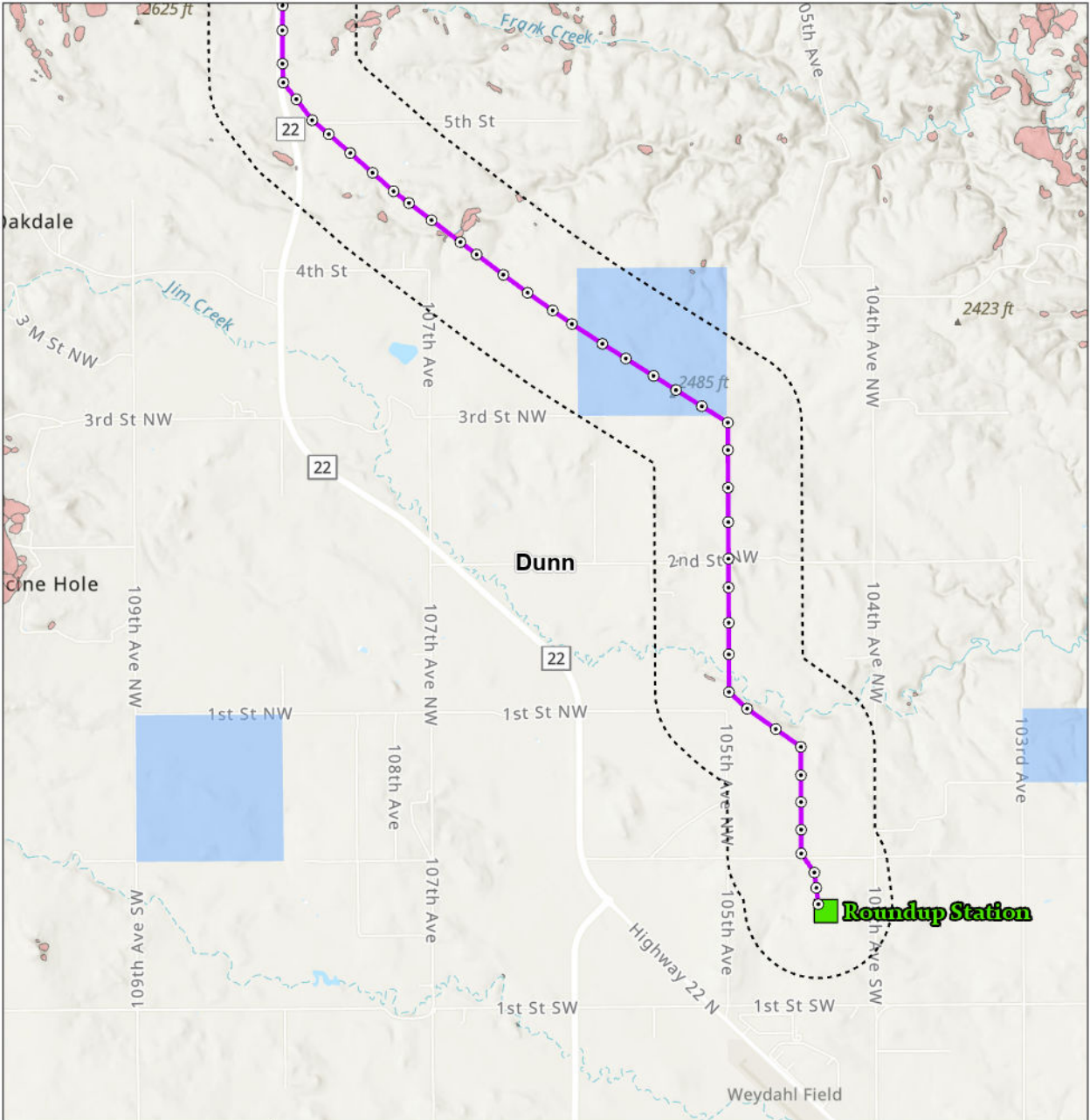
**Roundup to Kummer Ridge
Transmission Project**
Dunn and McKenzie Counties

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|-----------------------|-----------------------------|------------------|------------------|
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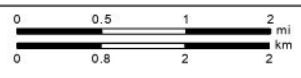
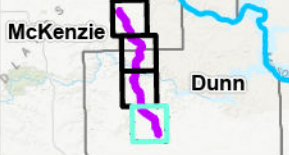


**Roundup to Kummer Ridge
Transmission Project**
Dunn and McKenzie Counties

- Proposed Project
- Study Area
- County Boundary
- Fort Berthold Reservation

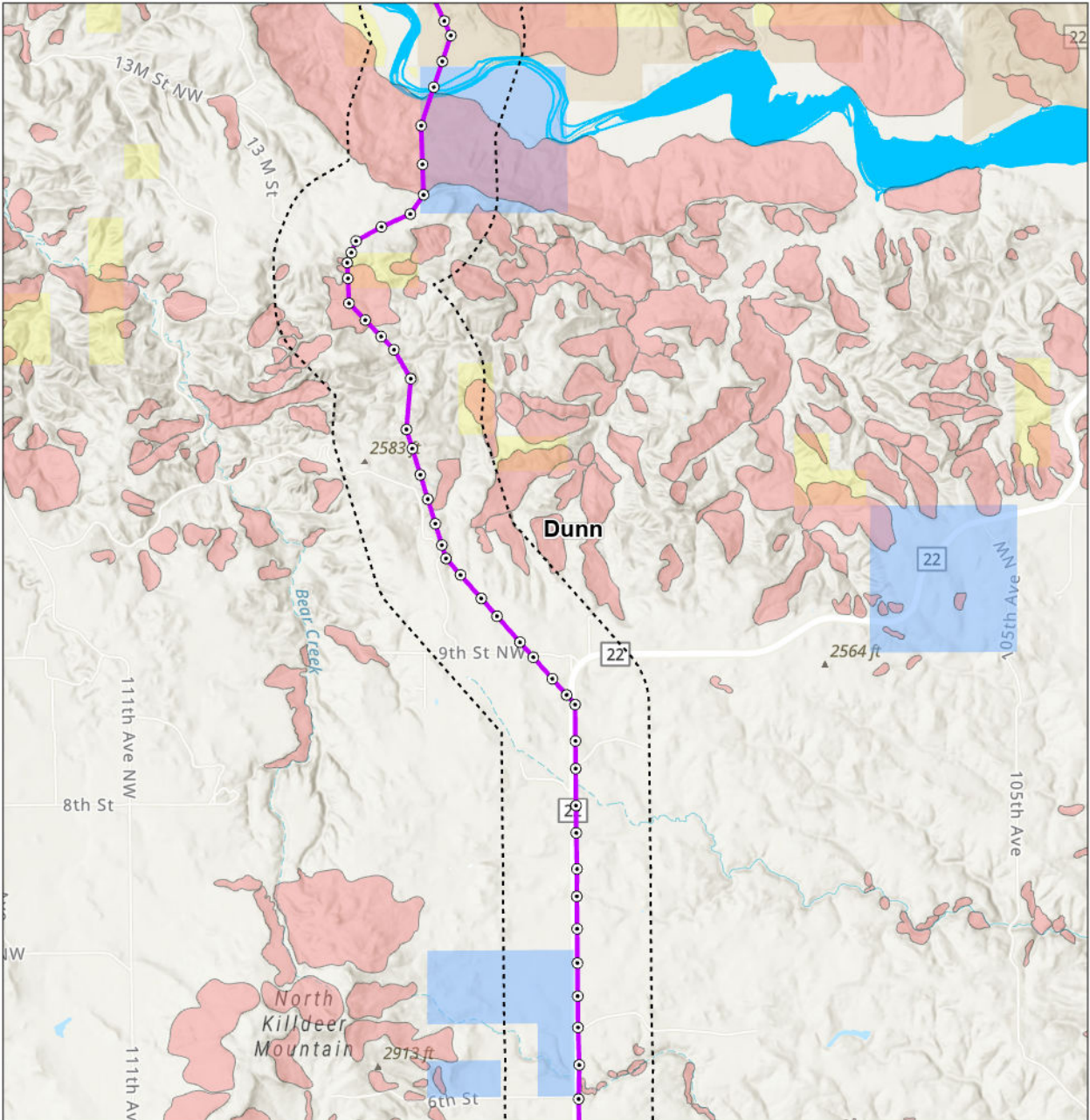
- Bureau of Land Management
- US Forest Service
- State Trust
- Landslide Deposit

- BEPC Station
- Structure




Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 10/26/2023 Author: C. Tucker





**Roundup to Kummer Ridge
Transmission Project**
Dunn and McKenzie Counties


 Proposed Project


 Bureau of Land Management

 BEPC Station

 Study Area

 US Forest Service

 Structure

 County Boundary

 State Trust

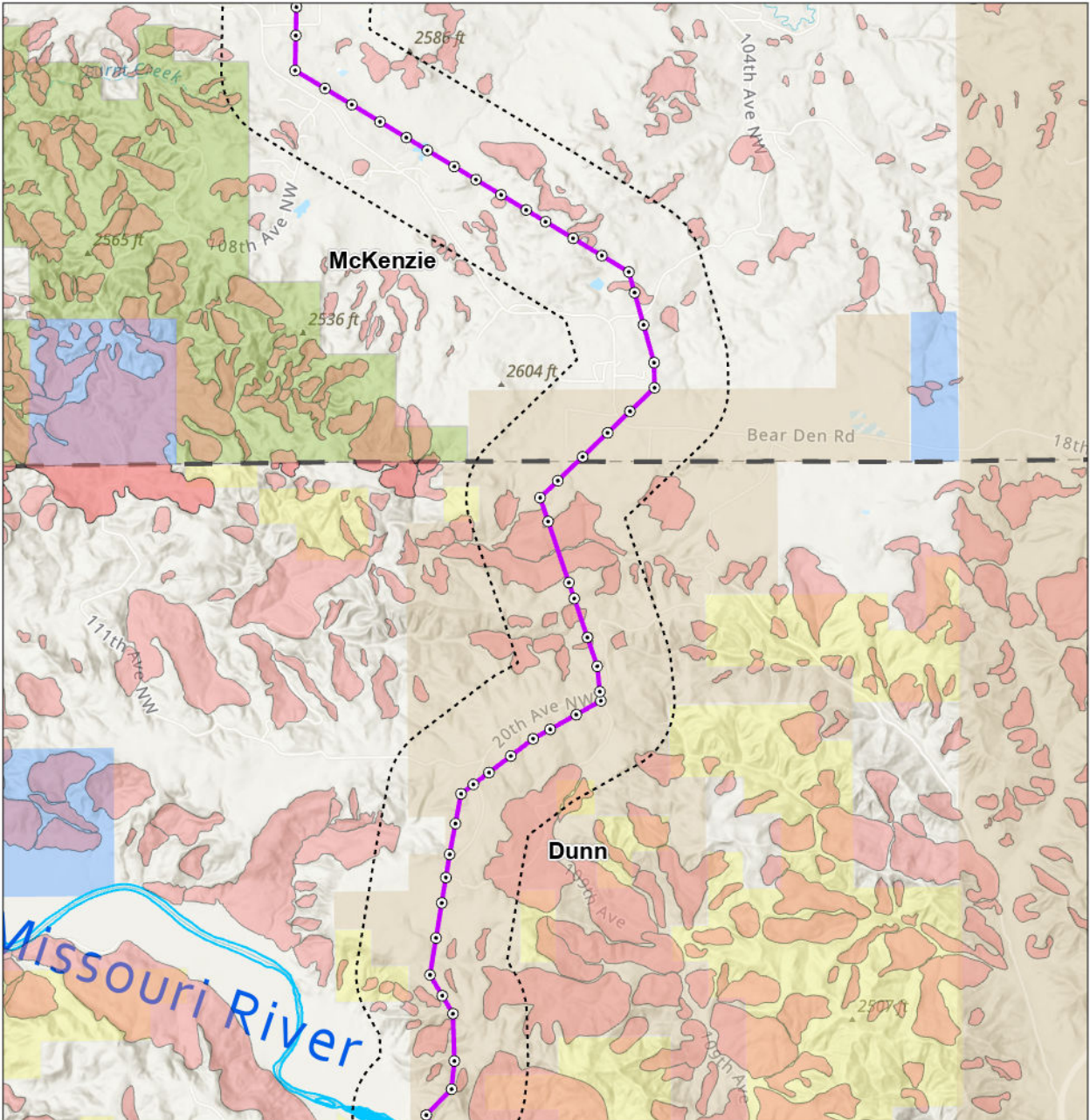
 Landslide Deposit

 Fort Berthold Reservation



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 10/26/2023 Author: C. Tucker





**Roundup to Kummer Ridge
Transmission Project**
Dunn and McKenzie Counties

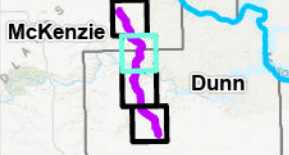
Proposed Project
 Study Area

Bureau of Land Management
 US Forest Service

BEPC Station
 Structure

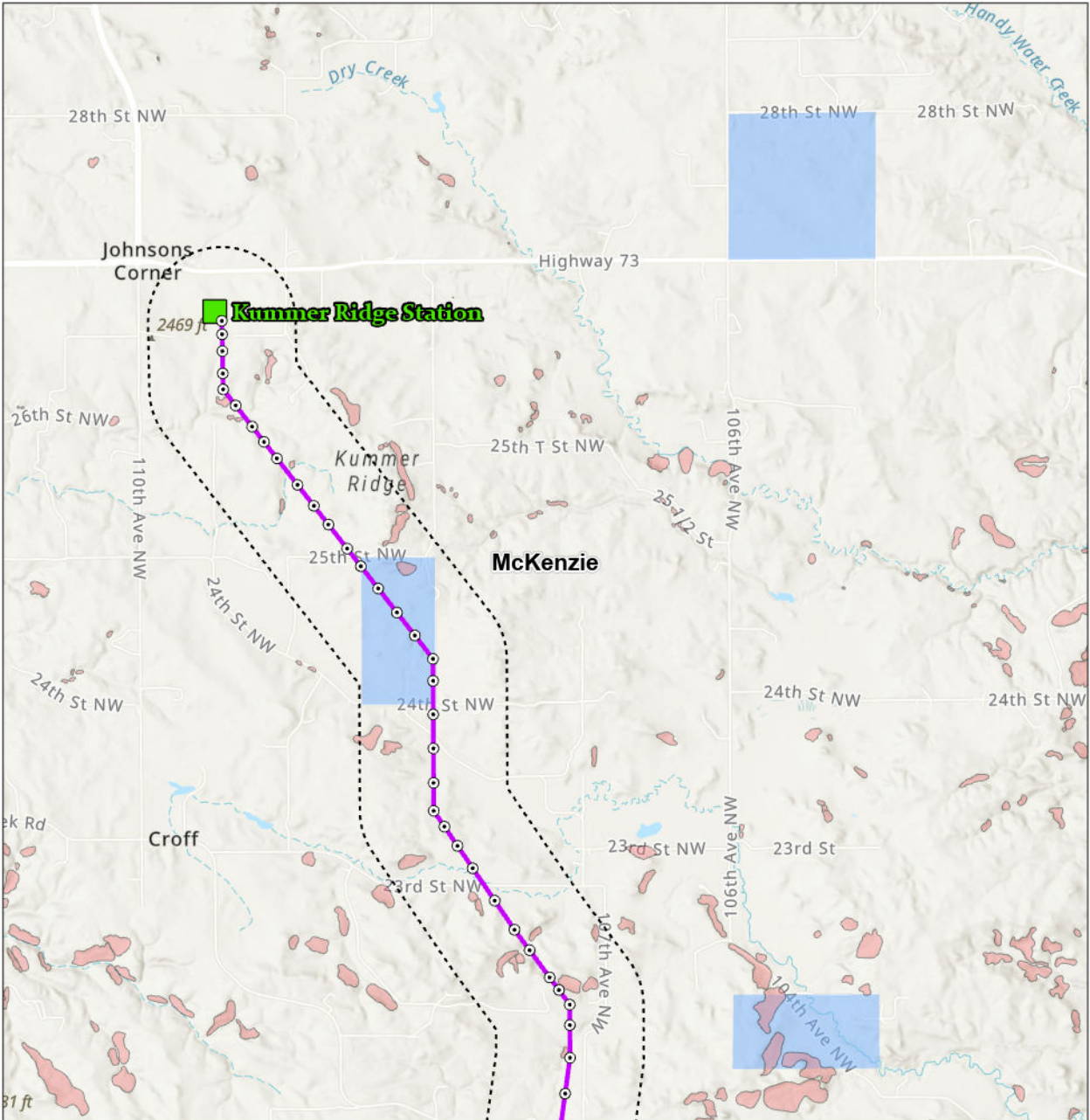
County Boundary
 Fort Berthold Reservation

State Trust
 Landslide Deposit



Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
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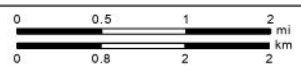
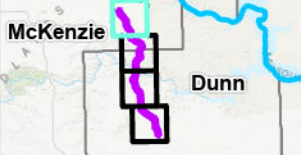


**Roundup to Kummer Ridge
Transmission Project**
Dunn and McKenzie Counties

- Proposed Project
- Study Area
- County Boundary
- Fort Berthold Reservation

- Bureau of Land Management
- US Forest Service
- State Trust
- Landslide Deposit

- BEPC Station
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 10/26/2023 Author: C. Tucker



Appendix B
Landowner Information Pamphlet



After Construction

Construction crews will work to minimize potential damage to property during construction. After construction, work areas and access roads not required for line maintenance will be restored to their previous condition, as possible. Construction refuse and scrap material will also be removed.

Landowners will be compensated for crop and for property damage that occurs as a result of construction or maintenance of the transmission line. If a landowner believes that damage has occurred and has not been remediated, they should contact their assigned right of way agent.

Maintenance

After the line is energized, maintenance crews will periodically inspect, repair, and maintain its components. Transmission lines are inspected from the air and on the ground. Aerial inspections are routinely performed, particularly after wind, ice, or lightning storms. Ground inspections are usually performed annually to detect items needing repair or replacement that are not found by aerial inspections.

Contact Information

If you have any questions, concerns, or would like a map showing the line route in your area, please contact:

Nathan Kleyer

Right-of-Way Lead, Basin Electric
701-557-5456
nkleyer@bepc.com

Bobby Nasset

Project Manager, Basin Electric
701-557-5673
rnasset@bepc.com

Nick Cebulski

Right-of-Way Consultant
406-690-0622
ncebulski11@gmail.com



1717 East Interstate Avenue
Bismarck, ND 58503-0564
basinelectric.com

Roundup-to-Kummer Ridge 345-kilovolt Electric Transmission Line Project



Project information for landowners along the proposed Roundup-to-Kummer Ridge 345-kilovolt Electric Transmission Line Project



About Basin Electric Power Cooperative

Basin Electric Power Cooperative is an electric power generation and transmission cooperative, headquartered in Bismarck, North Dakota. Basin Electric generates and transmits wholesale electricity to 131-member rural electric cooperatives located in a nine-state service area, and serves 3 million customers.

Project Purpose & Overview

The proposed Roundup-to-Kummer Ridge 345-kV (kilovolt) electric transmission line project will enhance the transmission load serving capability in the region and mitigate reliability constraints. The project includes of approximately 35 miles of new 345-kV electric transmission line between the existing Roundup 345-kV substation (north of Killdeer, North Dakota) and the existing Kummer Ridge 345-kV substation (near Johnson's Corner, North Dakota).

Southwest Power Pool (SPP) is the regional transmission organization that administers bulk electric transmission system reliability upgrades and generation interconnections. The project was approved by the Southwest Power Pool 2021 Integrated Transmission Planning (ITP) study process and provided Basin Electric an Approved Reliability Network upgrade notice in 2022. Basin Electric is the designated transmission owner for the upgrade.

Pending permit and easement acquisition, construction is scheduled to begin in 2024. It is anticipated that construction will take approximately 6-12 months.

Permitting

Per the North Dakota Public Service Commission (NDPSC), the project requires environmental, engineering, land use, economics, electrical, reliability, existing electric transmission facilities, biological, cultural resources, and land survey evaluation to help determine the final transmission line route. Permitting-associated work is scheduled to begin in the summer of 2022.

Once the preferred transmission line route is determined, structure locations and configurations are selected to satisfy structural design and electrical clearance criteria and to minimize impacts to the property.

Landowner Outreach & Engagement

A right-of-way agent will be assigned to work with landowners potentially impacted by the project. The agent will explain the steps involved in route and pole location selection, land rights acquisition, and construction and work to answer any questions landowners may have. Landowner input is encouraged and welcomed throughout this process.

As a first step, for landowners along the preliminary routes, a right-of-way agent will request permission for crews to enter a portion of the property to conduct surveys and studies. This work may be performed by Basin Electric employees or by those under contract to Basin Electric. The work will be conducted in a manner that minimizes disturbances to the landowner or tenant. Should damage to crops, fences, or other property occur as a result of these surveys and studies, the landowner will be fairly compensated or the damage will be repaired.

The right-of-way agent will then work with landowners along the preferred route to acquire a 150-foot-wide easement for the transmission line. In addition, easements for access roads, typically 30-feet wide, may be acquired in certain areas. Easements are needed to construct, operate, and maintain the transmission line and will be purchased through negotiations with landowners. The landowner retains title to the land and only easement rights would be granted to Basin Electric. If proposed construction activities may interfere with land use, the right of way agent will discuss those concerns with the landowner, discuss with the project team, and work to accommodate landowner's concerns as possible.

Landowners will be presented with a written offer based on a market analysis of similar type and use of property in the project area. The right-of-way agent will work with landowners to explain the easement agreement and offer of compensation as the basis for payment. Every effort is made to obtain an agreement that is fair and reasonable to both parties. Once the conditions of the agreement are met, the transactions are processed as efficiently as possible. Basin Electric will make full payment or annual installments for up to five years for easements to landowners and pay fees for recording the easement including title insurance.

Landowners may continue to use the portion of the property encumbered by an easement in ways that are compatible with the transmission line as long as care is taken to prevent damage and maintain access to transmission line structures. No buildings or structures may be erected within the easement area as they may impede the safe operation of the line or interfere with access needed for line maintenance. For safety reasons, pumps, wells, swimming pools, and flammables must not be placed in the easement area. Basin Electric has other requirements for transmission rights-of-way to maintain system reliability, such as federal regulations on vegetation management intended to prevent trees on the right of way from causing fires or transmission line outages.

Design and Construction

Basin Electric designs, constructs, operates, and maintains transmission lines and substation facilities to meet or exceed the requirements of the National Electric Safety Code. These standards provide for the safety and protection of landowners and their property, the public, and utility employees.

Basin Electric will keep landowners apprised of the construction schedule. Reasonable attempts will be made to account for the use and condition of the land, such as planting, irrigation and harvest schedules, to minimize inconvenience to landowners. Preparing the right of way for construction may require gates and culverts be installed, vegetation cleared, trees trimmed or removed, and structures removed that reduce adequate ground clearance for the conductors or access to the right of way. It may also be necessary to build access roads in hilly or rough terrain.

Where required, foundations are constructed by digging or drilling holes, which are filled with steel-reinforced concrete. Steel tower components are then transferred to the site and assembled. Completed towers are raised by a crane and set on foundations or directly embedded in the ground. Finally, conductor wires are installed.



Appendix C
Policies and Commitments Statement to Limit
Environmental Impacts

Excerpts from “**RESOLUTIONS ADOPTED BY THE MEMBERS OF BASIN ELECTRIC POWER COOPERATIVE**” dated November 3, 2020.

STATEMENT OF PURPOSE

The Basin Electric Resolutions Committee shall review all resolutions before presentation to the membership at each Annual Meeting, and that all resolutions are subject to change by the membership at the Annual Meeting.

STATEMENT OF IDEALS AND OBJECTIVES

This statement was initially adopted by the Membership at the 1967 Annual Meeting. It has been reviewed and readopted by the Membership at each subsequent Annual Meeting, and was last revised in 2020.

Basin Electric Power Cooperative (the Cooperative) was organized by its member systems in the Missouri River Basin to provide an adequate wholesale supply of dependable, low-cost electric power under democratic member control, consistent with the public interest.

We believe:

1. That an adequate, universally available and safe supply of affordable electricity is a vital ingredient for maintaining and improving the economy and the people's standard of living. We commit to ensuring that our generation and transmission resources are used for the benefit of the Cooperative and its member-owners, now and in the future, through cooperation with our power-supply partners.
2. That a clean and healthy environment, which we all need and enjoy, must be maintained and that the energy industry should minimize impacts to the environment.
3. That the Cooperative is dedicated to supporting a healthy agricultural economy, which is essential to the greater development of rural areas and the nation's general welfare. Furthermore, our commercial and industrial consumer-members are similarly important to cooperative health and should be encouraged.
4. That the Rural Utilities Service program of providing long-term, low-interest loan funds and loan guarantees to rural electric cooperatives is a vital element in providing low cost electricity for the social and economic benefit of people, and is one of the most beneficial programs ever undertaken by our federal government, and that this program should be continued as an important device to foster the economic development of rural areas and to help improve the standard of living of its consumer-owners.
5. That federal hydropower is an important renewable energy resource in the region, providing competitive cost-based rates to the membership. The long-standing statutory and contractual relationship between the membership and the federal government for preference power from these facilities should continue uninterrupted.

6. That the benefits of the development of our national resources should accrue to the people and that the federal government has the principal responsibility for establishing and maintaining programs and policies to protect the public interest in the multipurpose development, conservation, and utilization of our water and power resources.

7. That the Cooperative was established for all its members and the benefits of its operation should accrue to them on a consistent and uniform basis.

8. That people have the right to organize themselves to provide needed goods and services; that cooperatives and their associated entities can provide a yardstick of costs which benefit all consumers; and that they are consistent and help preserve our private enterprise system.

We pledge:

1. To provide our members with an adequate supply of wholesale electric power and high-quality service at the lowest-possible cost by:

a. Supporting use of the federal hydroelectric generating plants so these facilities continue to serve as the backbone of a region-wide power supply system.

b. Encouraging prudent development of clean and efficient power technologies, legislation, and research in the fuels and energy fields as it affects our lives and environment.

c. Operating the Cooperative's energy production facilities in the most efficient, productive, and safe manner possible consistent with moral and legal obligations to protect civilization and the environment.

2. To maintain a competent staff of dedicated employees by establishing policies which provide challenging careers and fair compensation, and which recognize their rights and responsibilities.

3. To conduct the business affairs of the Cooperative as trustees for the interest of the members on a basis of honesty and equity.

4. To help promote area development throughout the Cooperative's service area by working with member systems in the planning and execution of programs to help develop the natural, human, and economic resources within the region, and to encourage conservative and efficient use of electrical energy.

5. To conduct a vigorous communication and education program to promote the Cooperative's policies, plans, and progress among its employees, members, and the general public.

6. Whenever requested and feasible, to aid other rural electric cooperatives, public agencies, and consumer-controlled organizations to obtain adequate wholesale power at the lowest-possible cost.

7. To encourage development of and work with consumer-owned and other organizations having similar objectives.

Resolution 4 - Environment

Basin Electric Power Cooperative (Basin Electric) supports the care and utilization of our natural resources. We believe that is best accomplished through 1) clear and easily interpreted environmental laws and regulations; 2) single, efficient, and predictable permitting processes; and 3) local oversight of compliance that ensures needed interpretations take into account the realities of the environment and local interests are being fairly considered.

Background:

Basin Electric has provided leadership, resources, and efforts in research to advance state-of-the-art conservation measures, including land reclamation and significant development of renewable generation sources from its inception. Basin Electric, its membership, and member-consumers are committed to maintaining a clean and healthy environment for ourselves and our communities. We also recognize the economic realities that dictate both an achievable environmental standard be maintained while providing satisfactory balance between protecting the environment and sustaining the economy.

Appendix D
Cultural Resources Report

MANUSCRIPT DATA RECORD FORM

1. Manuscript Number:
2. SHPO Reference #:
3. Author(s): J. Signe Snortland
4. Title: Basin Electric Power Cooperative: A Class III Cultural Resource Inventory for the Round Up to Kummer Ridge Project, Dunn and McKenzie Counties, North Dakota.
5. Report Date: August 2023
6. Number of Pages: 168
7. Type: I
8. List formally tested or excavated sites (not probes): N/A
9. Acres: 726
10. Legal Location(s):

County	TWP	R	SEC	SU
Dunn	145 N	95 W	30, 31	Knife River
Dunn	146 N	95 W	6-8,15-17, 21, 22, 27, 28, 34	Little Missouri River
Dunn	147 N	95 W	19, 30, 31	Little Missouri River
Dunn	147 N	96 W	2, 11, 13, 14, 24	Little Missouri River
Dunn	148 N	95 W	4-7, 18-20, 29	Little Missouri River
Dunn	148 N	96 W	1, 12, 13, 23-25, 35, 36	Little Missouri River
McKenzie	149 N	95 W	6, 7, 18-20, 27-29, 33-35	Garrison
McKenzie	149 N	96 W	1, 12, 13	Little Missouri River
McKenzie	150 N	95 W	31	Garrison
McKenzie	150 N	96 W	23, 26, 35, 36	Little Missouri River

Appendix F
Natural Resources Report

Roundup to Kummer Ridge 345-kV Transmission Project Dunn and McKenzie Counties, North Dakota

Natural Resources Inventory Report



Prepared for:

Basin Electric Power Cooperative

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November 29, 2023



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REPORT REFERENCE

Tucker, C. 2023. Roundup to Kummer Ridge 345-kilovolt Transmission Project, Dunn and McKenzie Counties, North Dakota: Natural Resources Inventory Report. Prepared by Western EcoSystems Technology, Inc. (WEST), Bismarck, North Dakota. November 29, 2023.

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ACRONYMS AND ABBREVIATIONS

Acronym	Definition
ac	acre
BEPC	Basin Electric Power Cooperative
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
DASK	Dakota Skipper
DBH	diameter at breast height
ESA	Endangered Species Act
ft	foot
ha	hectares
IPaC	Information for Planning and Consultation
kV	kilovolt
km	kilometer
m	meter
mi	mile
N	north
NLEB	Northern long-eared bat
NWI	National Wetlands Inventory
PEM	Palustrine emergent
PLSS	Public Land Survey System
Project	Roundup to Kummer Ridge 345-kilovolt Transmission Project
R4SB	riverine intermittent stream bed
R	Range
Sec.	Section
Survey Corridor	All areas surveyed (1,303.5 acres)
T	Township
USACE	US Army Corps of Engineers
USEPA	US Environmental Protection Agency
USFWS	US Fish and Wildlife Service
USGS	US Geological Survey
W	west
WEST	Western EcoSystems Technology, Inc.
WNS	White-nose syndrome

1.0 INTRODUCTION

Basin Electric Power Cooperative (BEPC) proposes to construct and operate the Roundup to Kummer Ridge 345-kilovolt (kV) Transmission Project (Project). Western Ecosystems Technology, Inc. (WEST), was retained by BEPC to provide natural resources inventory services, which include the identification of waterbody/wetland boundaries, an evaluation of habitat for federally listed species, a noxious weed inventory, a woody vegetation inventory, and a line-of-sight raptor nest survey. The proposed Project is located within Dunn and McKenzie Counties, North Dakota. The Project would begin at BEPC’s Roundup Station north of the city of Killdeer and will extend north for 32.50 miles (mi; 52.3 kilometers [km]), terminating at the Kummer Ridge Station located southeast of Johnsons Corner (Figure 1). Table 1 identifies the Public Land Survey System Sections within which the Project is located. The Project has 6.46 miles of overhead transmission line on Bureau of Indian Affairs (BIA) Tribal Trust lands and 0.25 miles of overhead transmission line on Bureau of Land Management (BLM). Two separate Environmental Assessments have been prepared for the BIA managed lands and the BLM managed lands. Natural resources located on federal lands are included in this inventory report.

Table 1. Legal descriptions of the centerline.

Section	Township	Range
3	145	95
6, 7, 8, 16, 17, 21, 22, 27, 34	146	95
19, 30, 31	147	95
2, 11, 12, 13, 24	147	96
6, 7	148	95
1, 12, 13, 24, 25, 35, 36	148	96
6, 7, 18, 19, 20, 27, 28, 29, 33, 34	149	95
1	149	96
23, 25, 26	150	96
36	150	96

BEPC considered multiple route alignments to minimize impacts to cultural and natural resources. The natural resources discussed in this report are those within the proposed route Survey Corridor, as shown on Figure 2a-2d. The Survey Corridor is 300 feet (ft; 91.4 meters [m]) wide, 150 ft (45.7 m) on either side of the Project centerline. In total, the Centerline Survey Corridor contains approximately 1,182.0 acres (ac; 478.3 hectares [ha]).

In addition, the Project has a travel plan for right-of-way (ROW) access that contains 16.2 mi (26.1 km) of access trail. This includes 3.3 mi of undisturbed access, 2.8 mi of previously disturbed access (cultivated, oil/gas corridor, etc.), 10.1 mi of existing two-track trail. A 30 ft (9.1 m) wide corridor was surveyed for the undisturbed, previously disturbed, and two-track access trails. This area totals 56.5 ac (22.9 ha). Two laydown yards were also surveyed. A south laydown yard, containing 35.8 acres, is located in Sec. 19, Township (T) 146 North (N), Range (R) 95 West (W) and a north laydown yard (29.2 acres) located in Section 21, T150N, R96W. All areas surveyed, including the Project centerline Survey Corridor, access trail Survey Corridor, and laydown yard Survey Corridor are collectively referred to as the Survey Corridor.

Biologists performed the field surveys on May 9-10, May 22 – June 2, September 19-20, and October 3, 2023. An aerial survey for eagle and raptor nests was conducted on April 24, 2023. Geospatial field data was collected using an Android tablet paired with an EOS ARROW Lite Global Positioning System unit capable of recording data to sub-meter accuracy.

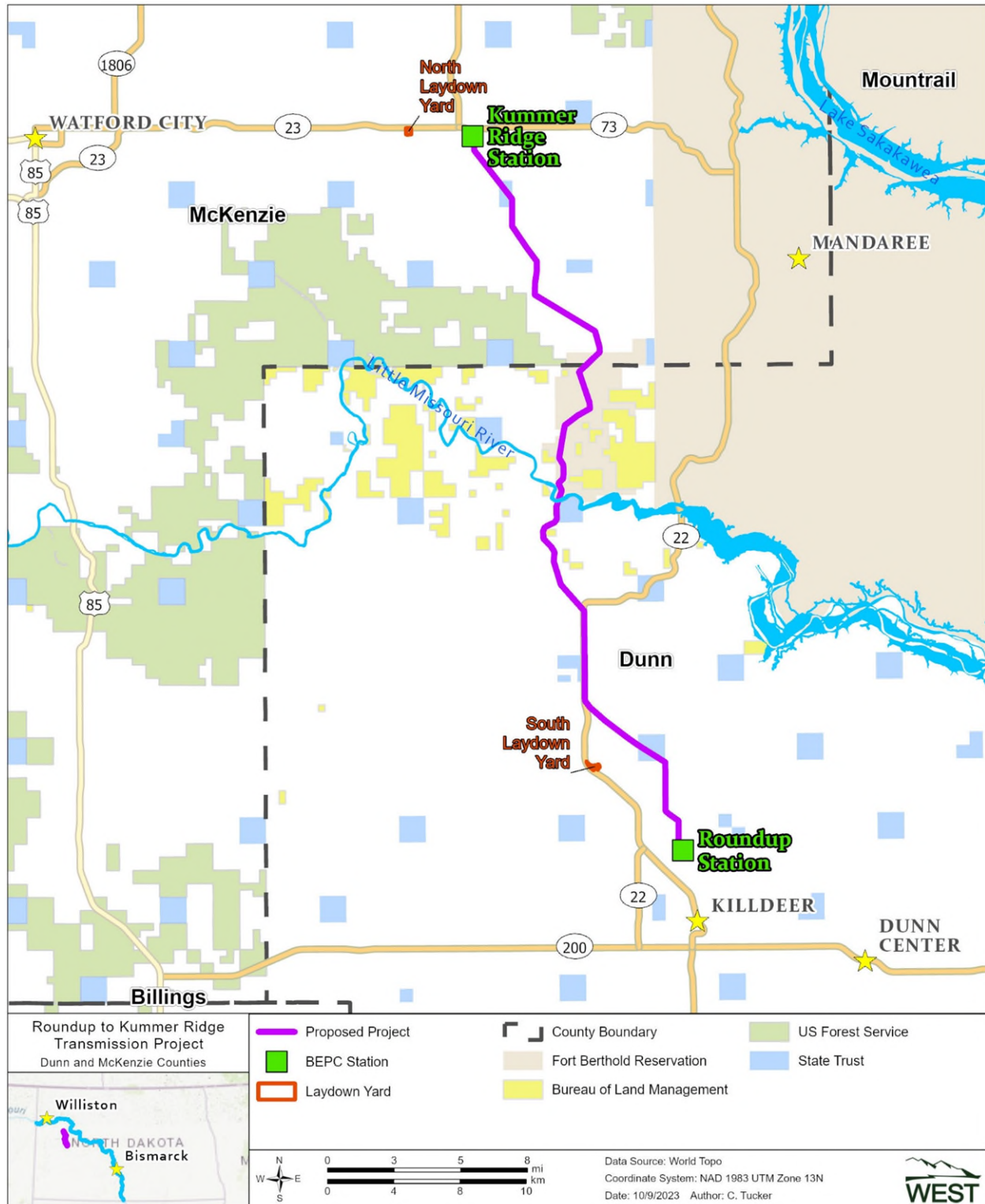


Figure 1. Location of the proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project in Dunn and McKenzie Counties, North Dakota.

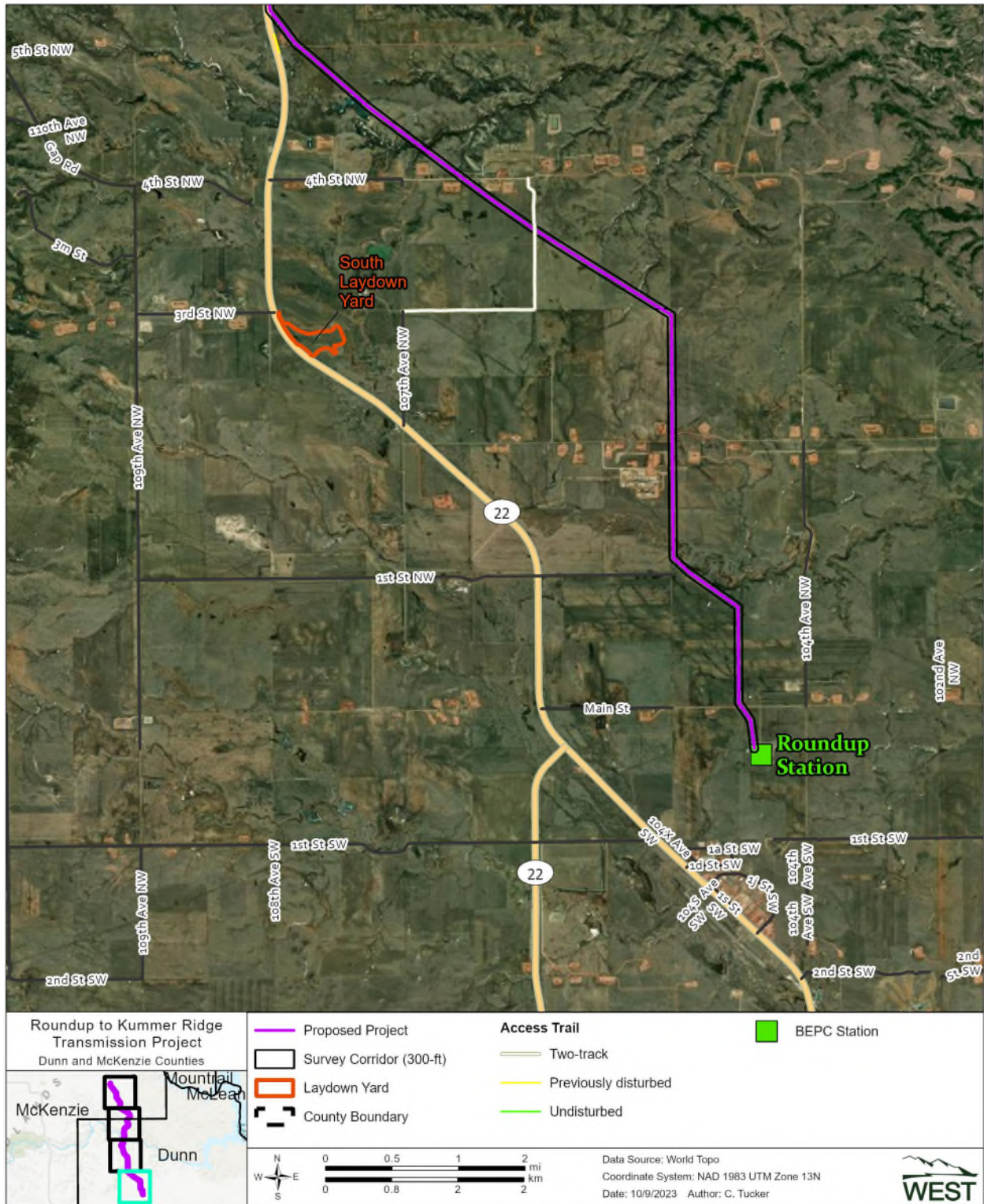


Figure 2-a. Detailed view of the proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project.



Figure 2-b. Detailed view of the proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project.

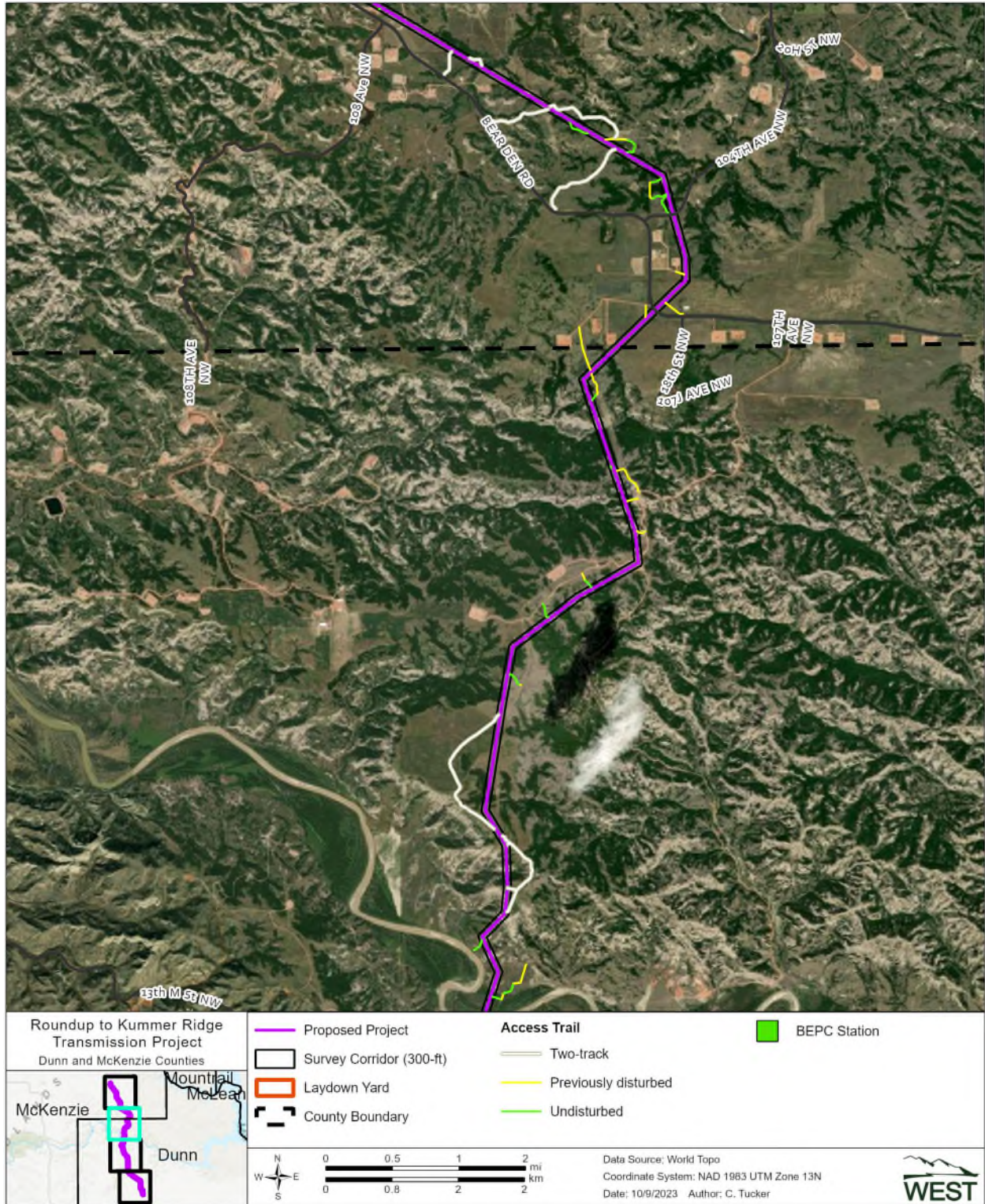


Figure 2-c. Detailed view of the proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project.

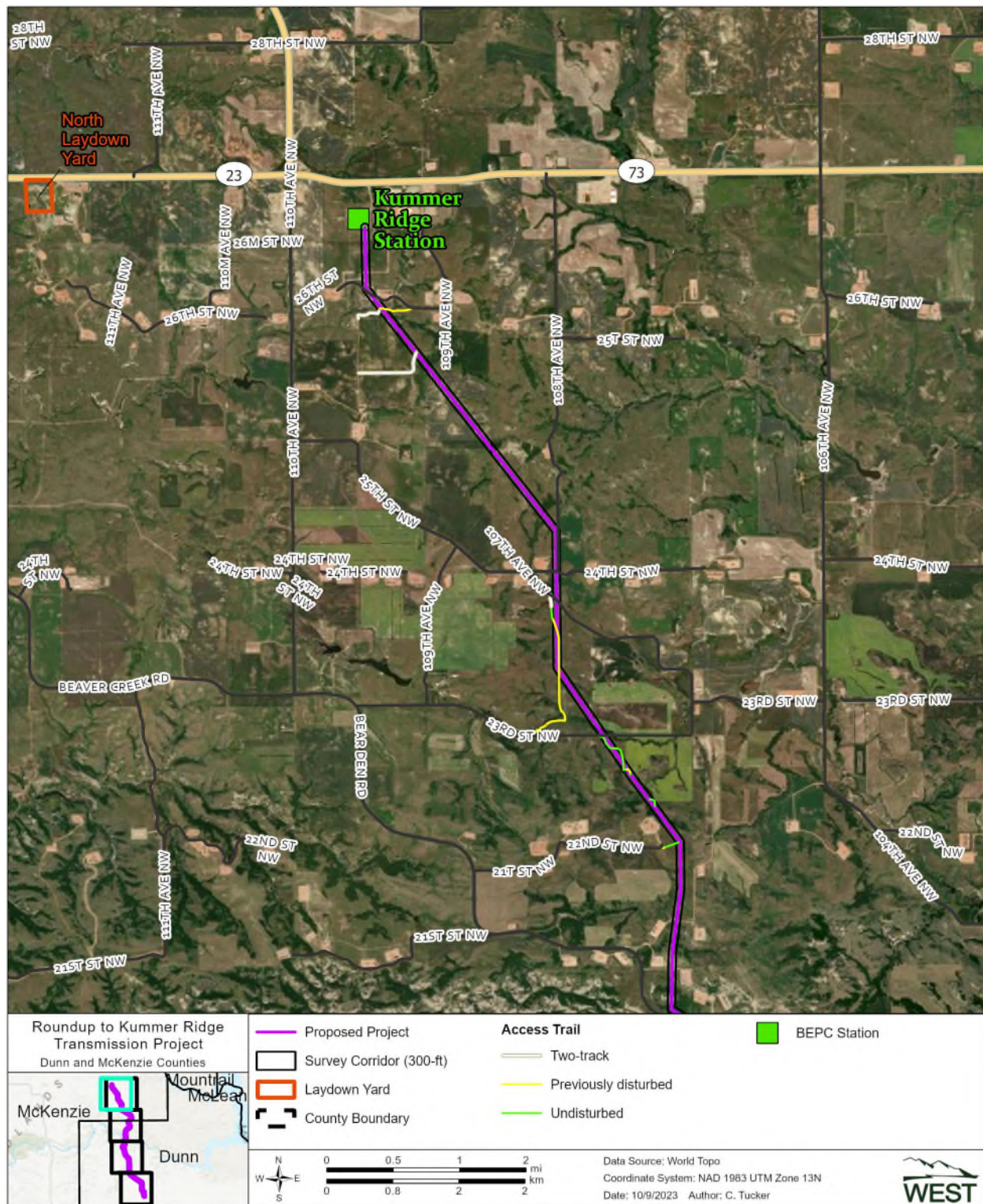


Figure 2-d. Detailed view of the proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project.

2.0 PROCEDURES

2.1 Wetland and Waterbody Field Determination

Wetland identification utilized the presence of hydrophytic vegetation and landscape hydrology and/or topographic position. Waterbody boundaries were recorded utilizing the criteria and definitions provided by the US Army Corps of Engineers (USACE) Ordinary High Water Mark criteria and definitions provided by the US Environmental Protection Agency (USEPA) in *Draft Guidance on Identifying Waters Protected by the Clean Water Act* (USEPA and USACE 2011). Wetlands and waterbodies were field classified in accordance with guidelines set forth in the *Classification of Wetlands and Deepwater Habitats of the United States* by the Federal Geographic Data Committee (2013). The following resources were reviewed prior to the wetland field determination to aid in identifying potential wetlands within the Survey Corridor. Dunn and McKenzie Counties National Agriculture Imagery Program aerial photographs (US Geological Survey [USGS] 2023); US Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI; USFWS NWI 2021); USGS National Hydrography Dataset (USGS 2023); and the US Department of Agriculture Natural Resources Conservation Service (USDA NRCS) digital Web Soil Survey (USDA NRCS 2023). The vegetation within the area surveyed was characterized using the hydrophytic criteria as outlined in the *National Wetland Plant List* (USACE 2020). No soil data was collected.

2.2 Federally Listed Wildlife Species Evaluation

The USFWS Information for Planning Consultation (IPaC) site was used to review federally listed species within the Survey Corridor and Dunn and McKenzie Counties (USFWS 2023a). The review also included the USFWS designated critical habitat for threatened and endangered species geospatial data (2023b), along with known range, reported occurrences, and habitat needs for each species. Table 2 identifies the federally listed species with the potential for occurrence within the Survey Corridor. Field evaluations were conducted on May 9-10, May 22 – June 2, September 19-20, and October 3, 2023 to confirm the presence or absence of potentially suitable habitat for federally listed species within the Survey Corridor. Background data was collected for preliminary review and to aid in the field inventory of biological resources. A meeting with BEPC Environmental staff, WEST biologists, and USFWS biologists was held on September 14, 2023 to discuss the Project and impact mitigation measures implemented by the Project. Minimization efforts for threatened or endangered species are discussed in Section 3.3.

Table 2. Federally listed threatened and endangered species.

Common Name	Scientific Name	Status
Northern long-eared bat	<i>Myotis septentrionalis</i>	Endangered
Whooping crane	<i>Grus americana</i>	Endangered
Dakota skipper	<i>Hesperia dacotae</i>	Threatened, Critical Habitat Designated
Piping plover	<i>Charadrius melodus</i>	Threatened, Critical Habitat Designated
Red knot (rufa)	<i>Calidris canutus rufa</i>	Threatened
Monarch butterfly	<i>Danaus plexippus</i>	Candidate

Source: US Fish and Wildlife Service 2023a, 2023b

2.3 Nesting Raptor Survey

An aerial survey for nesting raptors was conducted for the Project on April 24, 2023. A helicopter with a pilot and observer was utilized to survey one mi on both sides of the Project centerline.

2.4 Noxious Weed Inventory

North Dakota has 13 state-listed noxious weed species. The Dunn and McKenzie County Weed Control Districts list five additional species as invasive (North Dakota Department of Agriculture 2023). Table 3 provides a list of noxious and/or invasive weed species listed for the Project.

Table 3. North Dakota State and Project County listed noxious and invasive weeds.

North Dakota State Listed Noxious Weeds		Project County Invasive Weeds	
Common Name	Scientific Name	Common Name	Scientific Name
Absinth wormwood	<i>Aremisia absinthium</i>	Dunn County	
Canada thistle	<i>Cirsium arvense</i>	Black henbane	<i>Hyoscyamus niger</i>
Dalmatian toadflax	<i>Linaria genistifolia</i>	McKenzie County	
Diffuse knapweed	<i>Centaurea diffusa</i>	Baby's breath	<i>Gypsophila paniculata</i>
Houndstongue	<i>Cynoglossum officinale</i>	Black henbane	<i>Hyoscyamus niger</i>
leafy spurge	<i>Euphorbia esula</i>	Common burdock	<i>Arctium minus</i>
Musk thistle	<i>Carduus nutans</i>	Halogeton	<i>Halogeton glomeratus</i>
Palmer amaranth	<i>Amaranthus palmeri</i>	Narrowleaf hawksbeard	<i>Crepis tectorum</i>
Purple loosestrife	<i>Lythrum salicaria</i>		
Russian knapweed	<i>Acroptilon repens</i>		
saltcedar	<i>Tamarix chinensis</i>		
Spotted knapweed	<i>Centaurea maculosa</i>		
Yellow toadflax	<i>Linaria vulgaris</i>		

2.5 Woody Vegetation (Tree and Shrub) Inventory

A tree and shrub inventory has been conducted for the Project. The tree and shrub inventory utilized a methodology previously approved by the North Dakota Public Service Commission. The results of the inventory will be submitted in a stand-alone document.

3.0 RESULTS

3.1 Wetlands

A pre-survey review of the USFWS NWI database identified 16 palustrine emergent (PEM) wetlands and one palustrine forested/shrub wetland (USFWS NWI 2021). The field survey identified 28 wetlands, covering 15.51 ac (6.28 ha). Twenty-one wetlands are associated with drainage features, three wetlands are isolated natural depressions, and four are seep wetlands. Additionally, three of the PEM classified NWI signatures were found to not exhibit wetland hydrology or contain hydric vegetation. Upland points were recorded at these sites. Wetland information is summarized in Table 4 and depicted in Appendix A. Photographs of the Survey Corridor are included in Appendix B.

Table 4. Wetlands documented within the Survey Corridor

Name	Classification	Type	PLSS	Latitude	Longitude	Acres
Wetland 1	PEMC	Drainage	Sec. 27, T146N, R95W	47.431291	-102.777608	0.19
Wetland 2	PEMC	Drainage	Sec. 27, T146N, R95W	47.433267	-102.779364	1.36
Wetland 3	PEMA	Depression	Sec. 16, T146N, R95W	47.463869	-102.792863	0.42
Wetland 4	PEMC	Drainage	Sec. 8, T146N, R95W	47.477036	-102.819504	1.50
Wetland 5	PEMC	Drainage	Sec. 6, T146N, R95W	47.487922	-102.839173	0.04
Wetland 6	PEMC	Drainage	Sec. 6, T146N, R95W	47.48828	-102.839068	0.05
Wetland 7	PEMC	Drainage	Sec. 19, T147N, R95W	47.531206	-102.84291	0.34
Wetland 8	PEMC	Drainage	Sec. 19, T147N, R95W	47.533173	-102.842957	0.40
Wetland 9	PEMC	Drainage	Sec. 19, T147N, R95W	47.539731	-102.842887	0.33
Wetland 10	PEMC	Drainage	Sec. 13, T147N, R96W	47.554882	-102.861003	0.35
Wetland 11	PEMA	Seep	Sec. 13, T147N, R96W	47.557315	-102.862209	0.13
Wetland 12	PEMC	Seep	Sec. 13, T147N, R96W	47.559918	-102.864022	0.60
Wetland 13	PEMC	Drainage	Sec. 25, T148N, R96W	47.604072	-102.859853	0.07
Wetland 14	PEMC	Seep	Sec. 25, T148N, R96W	47.604962	-102.861184	1.04
Wetland 15	PEMA	Depression	Sec. 7, T148N, R95W	47.650494	-102.839507	0.07
Wetland 16	PEMC	Drainage	Sec. 6, T148N, R95W	47.66551	-102.843367	0.50
Wetland 17	PEMC	Drainage	Sec. 6, T148N, R95W	47.673436	-102.842527	0.11
Wetland 18	PEMC	Drainage	Sec. 27, T149N, R95W	47.693489	-102.834506	0.52
Wetland 19	PEMC	Drainage	Sec. 18, T149N, R95W	47.720618	-102.880418	2.30
Wetland 20	PEMC	Drainage	Sec. 18, T149N, R95W	47.724857	-102.88024	0.16
Wetland 21	PEMC	Drainage	Sec. 18, T149N, R95W	47.727106	-102.879342	2.09
Wetland 22	PEMC	Drainage	Sec. 7, T149N, R95W	47.73696	-102.88596	0.28
Wetland 23	PEMC	Drainage	Sec. 1, T149N, R96W	47.758041	-102.898863	0.44
Wetland 24	PEMC	Drainage	Sec. 36, T150N, R96W	47.767149	-102.901177	0.85
Wetland 25	PEMC	Seep	Sec. 26, T150N, R96W	47.788884	-102.926772	0.08
Wetland 26	PEMC	Drainage	Sec. 26, T150N, R96W	47.789249	-102.926575	0.32
Wetland 27	PEMA	Depression	Sec. 23, T150N, R96W	47.794753	-102.929636	0.65
Wetland 28	PEMC	Drainage	Sec. 21, T150N, R96W	47.801135	-102.983821	0.32
Total						15.51

N = north, PEMA = palustrine emergent temporarily flooded wetland, PEMC = palustrine emergent seasonally flooded wetland, PLSS = Public Land Survey System, R = Range, Sec. = Section, T = Township, W = west.

3.2 Waterbodies

The pre-survey review of the USFWS NWI database indicated two palustrine aquatic bed semi-permanently flooded freshwater ponds and 14 riverine features. The field survey identified 32 waterbodies, totaling 10.93 ac (4.42 ha) within the Survey Corridor. Of the 32 waterbodies, 12 are classified as ephemeral drains, ten are intermittent streams, one perennial river (Little Missouri River), six excavated stock dams, and two dammed drainages. Waterbody information is summarized in Table 5, and waterbody locations are identified in Appendix A. Photographs of the Survey Corridor are included in Appendix B.

Table 5. Waterbodies documented with the Survey Corridor.

Name	Classification	Comment	PLSS	Latitude	Longitude	Acres
Waterbody 1	PUBFx	Stock dam	Sec. 3, T145N, R95W	47.414162	-102.767915	0.02
Waterbody 2	PUBFx	Stock dam	Sec. 3, T145N, R95W	47.414478	-102.767826	0.11
Waterbody 3	Ephemeral	Ephemeral Drain	Sec. 3, T145N, R95W	47.414776	-102.767870	0.02
Waterbody 4	PUBFx	Stock dam	Sec. 34, T146N, R95W	47.416768	-102.769570	<0.01
Waterbody 5	Ephemeral	Ephemeral Drain	Sec. 27, T146N, R95W	47.432751	-102.778777	0.01
Waterbody 6	R4SB	Intermittent Drain	Sec. 27, T146N, R95W	47.433829	-102.779200	0.08
Waterbody 7	Ephemeral	Ephemeral Drain	Sec. 16, T146N, R95W	47.466959	-102.799169	0.03
Waterbody 8	PUBFx	Stock dam	Sec. 17, T146N, R95W	47.472535	-102.809742	<0.01
Waterbody 9	PABFh	Pond dam	Sec. 7, T146N, R95W	47.482052	-102.829156	1.16
Waterbody 10	R4SB	Intermittent Drain	Sec. 06, T146N, R95W	47.489652	-102.840943	0.19
Waterbody 11	PABFh	wetland drainage	Sec. 06, T146N, R95W	47.490617	-102.842091	1.01
Waterbody 12	Ephemeral	Ephemeral Drain	Sec. 06, T146N, R95W	47.494135	-102.842946	0.06
Waterbody 13	R4SB	Intermittent Drain	Sec. 06, T146N, R95W	47.495308	-102.842838	0.15
Waterbody 14	R4SB	Intermittent Drain	Sec. 31, T147N, R95W	47.504202	-102.842691	0.19
Waterbody 15	Ephemeral	Ephemeral Drain	Sec. 30, T147N, R95W	47.526410	-102.842783	0.19
Waterbody 16	Ephemeral	Ephemeral Drain	Sec. 24, T147N, R96W	47.544893	-102.848458	0.34
Waterbody 17	Ephemeral	Ephemeral Drain	Sec. 13, T147N, R96W	47.547346	-102.851300	0.13
Waterbody 18	R4SB	Intermittent Drain	Sec. 13, T147N, R96W	47.559581	-102.863738	0.21
Waterbody 19	R4SB	Intermittent Drain	Sec. 2 & 11, T147N, R96W	47.574491	-102.868214	0.44
Waterbody 20	Ephemeral Drain	Ephemeral Drain	Sec. 2, T147N, R96W	47.578022	-102.872326	0.15
Waterbody 21	R4SB	Intermittent Drain	Sec. 2, T147N, R96W	47.581035	-102.875877	0.44
Waterbody 22	Ephemeral	Ephemeral Drain	Sec. 35 & 36, T148N, R96W	47.589875	-102.865809	0.48
Waterbody 23	PEMAx	stock dam	Sec. 35, T148N, R96W	47.598078	-102.869767	0.01
Waterbody 24	Perennial	Perennial River	Sec. 36, T148N, R96W	47.600871	-102.863410	1.78
Waterbody 25	R4SB	Intermittent drain	S 24, T148N, R96W	47.625654	-102.862044	0.03
Waterbody 26	Ephemeral	Ephemeral drain	S 13, T148N, R96W	47.644513	-102.852531	0.03
Waterbody 27	R4SB	Intermittent drain	S 6, T148N, R95W	47.673257	-102.841901	0.02
Waterbody 28	PUBFx	stock dam	Sec. 28, T149N, R95W	47.700386	-102.850470	0.56
Waterbody 29	Ephemeral	Ephemeral drain	Sec. 28, T149N, R95W	47.701434	-102.853541	0.18
Waterbody 30	PUBFx	Pond dam	Sec. 20, T149N, R95W	47.705238	-102.862905	2.01
Waterbody 31	R4SB	Intermittent drain	Sec. 7, T149N, R95W	47.743316	-102.892243	0.71
Waterbody 32	Ephemeral	Ephemeral drain	Sec. 25 & 26, T150N, R96W	47.783472	-102.919986	0.19
Total						10.93

N = north, PABFh = palustrine aquatic bed semi-permanently flooded and diked freshwater pond, PABFx = palustrine aquatic bed semi-permanently flooded excavated, PEMAx = palustrine emergent temporarily flooded wetland excavated, PUBFx = palustrine unconsolidated bottom semi-permanently flooded and excavated, PLSS = Public Land Survey System, R = Range, R4SB = riverine intermittent stream bed, Sec. = Section, T = Township, W = west.

3.3 Threatened and Endangered Species Habitat Assessment

Threatened and endangered species that have been documented and/or have the potential to occur within the Survey Corridor are listed in Table 2 along with designated critical habitat (USFWS 2023a, 2023b). A review of USFWS species information datasets, along with habitat data gathered from the field surveys, were used to aid in the determinations. Threatened and endangered species information gathered from the review is documented below in the species discussions.

During the field surveys, no federally listed species were observed. Numerous treed areas (more than three inches [in.] diameter at breast height [DBH]) with the potential to provide summer roosting habitat for the northern long-eared bat were documented and suitable habitat for the Dakota skipper was documented in three locations.

3.3.1 Northern Long-eared Bat

The northern long-eared bat (*Myotis septentrionalis*) is a forest-dwelling mammal. The home range of the northern long-eared bat (NLEB) is approximately 150 ac (61 ha), including a summer and winter habitat. In the summer, NLEB roost under bark or in crevices of trees, preferring to roost in tall trees with greater than three inches (in.; eight centimeters [cm]) DBH, and under the exfoliating bark of dead or dying trees. In the winter, NLEB hibernate in caves and mines. The NLEB prefers foraging in edge habitats and forests comprising trees with a diversity of life stages (USFWS 2014a).

Occurrences of the NLEB are uncertain in North Dakota. White-nose syndrome (WNS) currently remains the predominant threat to the northern long-eared bat. North Dakota is included in the current extent of WNS zone per the Final Rule (88 Federal Register [FR] 4908 [January 26, 2023]; USFWS 2023c). With the Final Rule reclassifying the NLEB as endangered, incidental take of the species is prohibited. To avoid incidental take, it is recommended to conduct tree clearing activities between November 1 to March 31 when bats have either migrated or are hibernating in underground caves.

The Project would require small scale tree clearing at 90 locations, totaling 10.4 ac, for structure placement. A desktop analysis was conducted to determine impacts to tree habitat and determine what locations have a higher probability of providing habitat for the NLEB. A 1,000 ft buffer of the Survey Area was digitally analyzed for tree habitat. Tree habitat was then segregated between greater than 5 ac patches and less than 5 ac patches. The review determined that 105.6 ac of trees are within the ROW, 10.4 ac would need to be removed (9.8%). Of the 90 tree clearing areas proposed, 83 are within the 1,000 ft connected habitat buffer. Maps depicting the results of the analysis are located in Appendix C.

To reduce the potential to impact NLEB at the tree clearing locations, BEPC has committed to conducting tree clearing activities from November 1 – March 31, outside of the active season for NLEB in North Dakota. If localized tree clearing activities could not be conducted during this window, presence/absence surveys would occur and tree removal would happen immediately following a negative survey.

3.3.2 Whooping Crane

The primary nesting area for the whooping crane (*Grus americana*) is in Canada's Wood Buffalo

National Park. Aransas National Wildlife Refuge in Texas is the primary wintering area for whooping cranes. In the spring and fall, the cranes migrate, primarily along the Central Flyway. During the migration, whooping cranes make numerous stops, roosting in relatively large, shallow marshes and feeding and loafing in harvested grain fields. The primary threats to whooping cranes are power lines, illegal hunting, and habitat loss (USFWS 2023d).

The whooping crane is federally listed and has the potential to occur in all counties of North Dakota. The Project is located within the migration corridor where 75-95% of whooping cranes travel. Land use within the Project is a mixture of cropland and rangeland, and oil/gas development. The USFWS Database (USFWS 2022) shows Dunn County has 16 verified whooping crane sightings and McKenzie County has nine. The closest confirmed sighting to the Project was of two adults and one juvenile whooping crane in 1992, approximately one mi (1.6 km) from the Project in Sec. 18, T146N, R95W. The sighting locations are depicted on Figure 3.

Noise and vehicle activity during construction activities may cause migratory cranes to divert from the area but would be unlikely to contribute to any indirect or direct effect that would result in an increase of fatalities and, therefore, would be considered insignificant. If a crane is sighted within 1.0 mi (1.6 km) of the project area, construction activities utilizing heavy equipment would be suspended, and the sighting would be promptly reported to the USFWS. In coordination with the USFWS, suspended activities would resume once the bird(s) have left the area. Flight diverters will be installed on the transmission line to minimize bird strikes. Appendix D contains BEPC's Avian and Bat Protection Plan.

3.3.3 *Dakota Skipper*

The Dakota skipper (*Hesperia dacotae*), a prairie obligate species, requires nectar-producing native flowers and native grasses. Historically, Dakota skippers (DASK) have been associated with relatively low, wet, prairie-dominated, high-quality, tall grass prairie habitat (Type A habitat). Researchers have found that DASK also use upland mixed grass prairie that is relatively dry and includes ridges and hillsides (Type B habitat; USFWS 2013a). These habitats often have small inclusions of areas with species more commonly typified with tall grass prairie. Larvae require grass components of mixed-grass prairie that include bluestem grasses (*Andropogon* spp.) and needlegrasses, while adults require nectar sources; therefore, suitable prairie must include nectar-producing forbs. These forbs may include purple coneflower (*Echinacea purpurea*), blue bells (*Campanula rotundifolia*), blanket flower (*Gaillardia aristata*), wood lily (*Lilium philadelphicum*), or other species that are in bloom during the adult life cycle of the DASK (Dana 1991). The nearest USFWS designated critical habitat for the DASK is located approximately 19.5 mi (31.4 km) north of the Project (Figure 3). The species is known to occur in Dunn and McKenzie Counties and the Project is within the USFWS's known range of the DASK (USFWS 2023a).

A desktop assessment of habitat within the Survey Corridor was used to divide habitat into one of two basic habitat groups: grassland habitat and unsuitable habitat. The assessment identified 644.4 ac (260.8 ha, 49%) of grassland habitat and 659.5 ac (266.9 ha; 51%) of unsuitable habitat. The field survey was conducted within the identified grassland habitat to determine if suitable habitat was present. Suitable habitat is defined as native grassland that contains one or more primary constituent elements for the skipper to complete its entire life cycle, including breeding, feeding/foraging, and sheltering behaviors (USFWS 2023e).

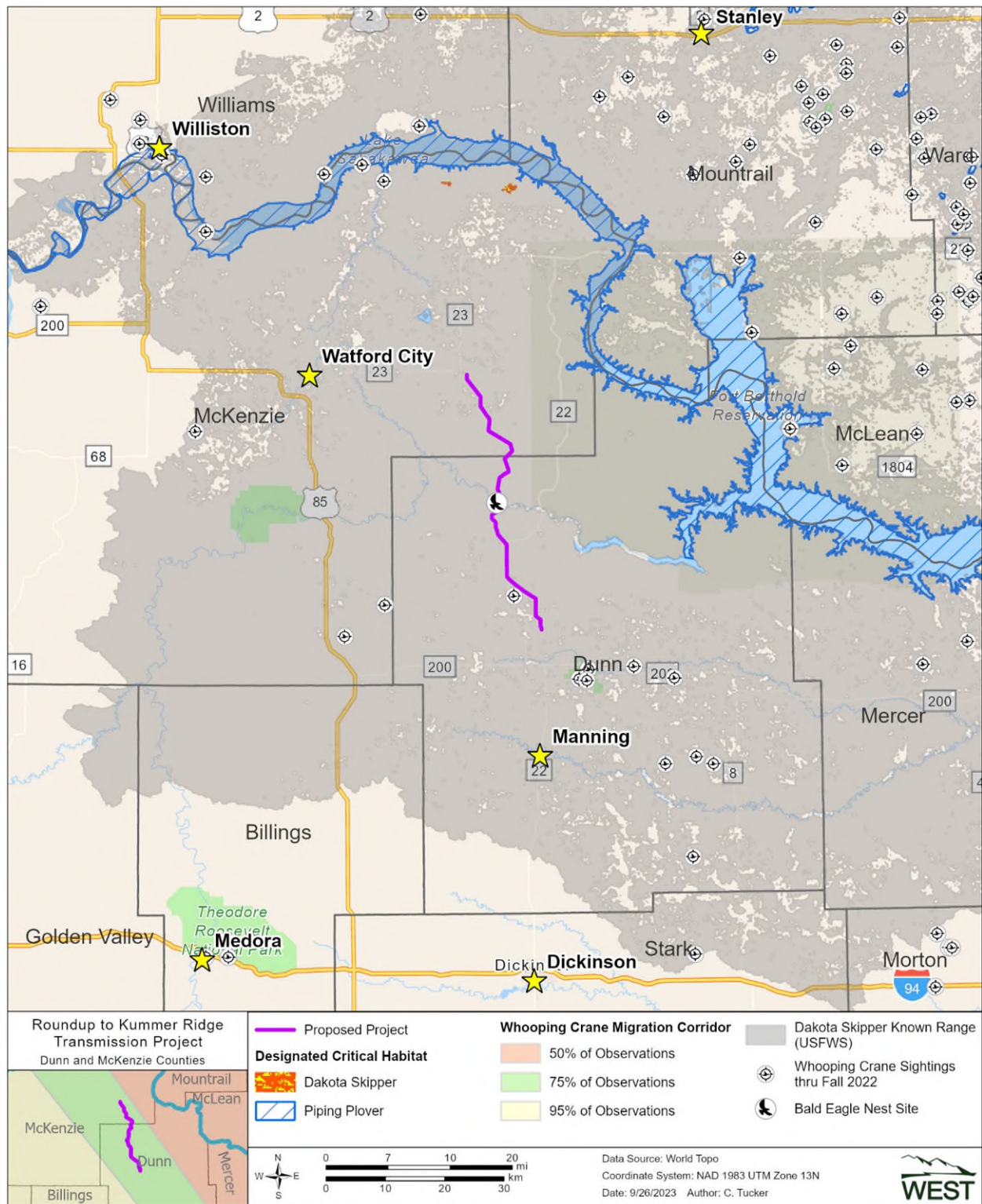


Figure 3. Known sightings, species range, and designated critical habitats in relation to the proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project.

The field survey recorded 5.98 ac (2.4 ha; less than 1%) of suitable habitat within the Survey Corridor. Table 6 contains the attributes for the suitable habitat identified within the Survey Corridor and Appendix A depicts the locations of the suitable habitat.

Table 6. Areas of suitable habitat for the Dakota skipper (DASK).

Name	Classification	PLSS	Acres
DASK 1	Potential DASK Habitat	Sec. 13, T147N, R96W	0.20
DASK 2	Potential DASK Habitat	Sec. 12, T147N, R96W	0.09
DASK 3	Potential DASK Habitat	Sec. 12, T147N, R96W	0.71
DASK 4	Potential DASK Habitat	Sec. 12, T147N, R96W	0.11
DASK 5	Potential DASK Habitat	Sec. 12, T147N, R96W	0.02
DASK 6	Potential DASK Habitat	Sec. 11, T147N, R96W	0.03
DASK 7	Potential DASK Habitat	Sec. 11, T147N, R96W	0.11
DASK 8	Potential DASK Habitat	Sec. 11, T147N, R96W	0.01
DASK 9	Potential DASK Habitat	Sec. 11, T147N, R96W	0.02
DASK 10	Potential DASK Habitat	Sec. 11, T147N, R96W	0.23
DASK 11	Potential DASK Habitat	Sec. 11, T147N, R96W	0.02
DASK 12	Potential DASK Habitat	Sec. 2, T147N, R96W	0.03
DASK 13	Potential DASK Habitat	Sec. 2, T147N, R96W	0.04
DASK 14	Potential DASK Habitat	Sec. 2, T147N, R96W	0.01
DASK 15	Potential DASK Habitat	Sec. 2, T147N, R96W	0.07
DASK 16	Potential DASK Habitat	Sec. 2, T147N, R96W	0.02
DASK 17	Potential DASK Habitat	Sec. 2, T147N, R96W	0.03
DASK 18	Potential DASK Habitat	Sec. 2, T147N, R96W	0.03
DASK 19	Potential DASK Habitat	Sec. 2, T147N, R96W	0.14
DASK 20	Potential DASK Habitat	Sec. 2, T147N, R96W	0.02
DASK 21	Potential DASK Habitat	Sec. 2, T147N, R96W	0.10
DASK 22	Potential DASK Habitat	Sec. 2, T147N, R96W	0.05
DASK 23	Potential DASK Habitat	Sec. 2, T147N, R96W	0.02
DASK 24	Potential DASK Habitat	Sec. 2, T147N, R96W	0.05
DASK 25	Potential DASK Habitat	Sec. 36, T148N, R96W	0.07
DASK 26	Potential DASK Habitat	Sec. 36, T148N, R96W	0.07
DASK 27	Potential DASK Habitat	Sec. 36, T148N, R96W	0.12
DASK 28	Potential DASK Habitat	Sec. 36, T148N, R96W	0.01
DASK 29	Potential DASK Habitat	Sec. 36, T148N, R96W	0.30
DASK 30	Potential DASK Habitat	Sec. 25, T148N, R96W	0.34
DASK 31	Potential DASK Habitat	Sec. 25, T148N, R96W	1.78
DASK 32	Potential DASK Habitat	Sec. 13, T148N, R96W	0.19
DASK 33	Potential DASK Habitat	Sec. 7, T148, R95W	0.62
DASK 34	Potential DASK Habitat	Sec. 27, T149N, R95W	0.12
DASK 35	Potential DASK Habitat	Sec. 36, T150N, R96W	0.20
Total			5.98

PLSS = Public Land Survey System; R = Range; Sec. = Section; T = Township; W = west.

BEPC has designed the Project to minimize impacts to suitable habitat for the DASK. This includes routing access trails around potential habitat and placing pole structures outside of potential habitat. To minimize the impacts to foraging or dispersing adult DASK, a 500-meter avoidance buffer will be placed around suitable habitat locations. Existing surfaced roads within the buffers may be used for travel, but construction within the buffers will not occur during the flight window. Dust abatement may be necessary on gravel surfaced roads during the flight window. The flight period is typically 14 days long between the dates of June 10 – July 25 and dates may be adjusted based on annual observations by the USFWS.

The buffers collectively cover approximately 7.4 miles of the Project as depicted in Figure 4a-Figure 4e shown below. The avoidance and minimization effort follows the guidance of the March 2023 *USFWS Timing/Buffer Recommendations* (USFWS 2023f).

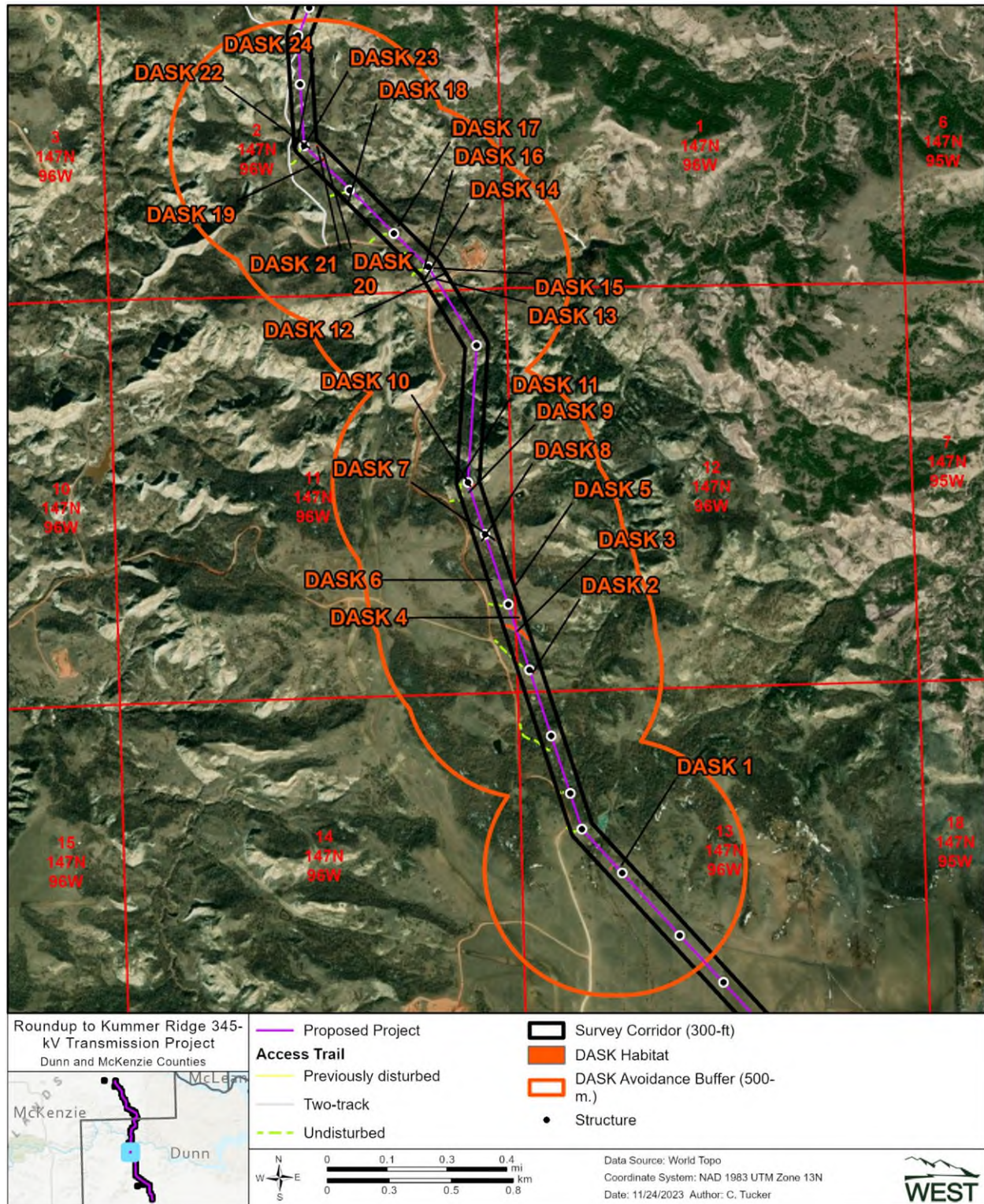


Figure 4-a. DASK avoidance buffers (500-m.) applied to the potential DASK habitat locations documented during the field surveys.

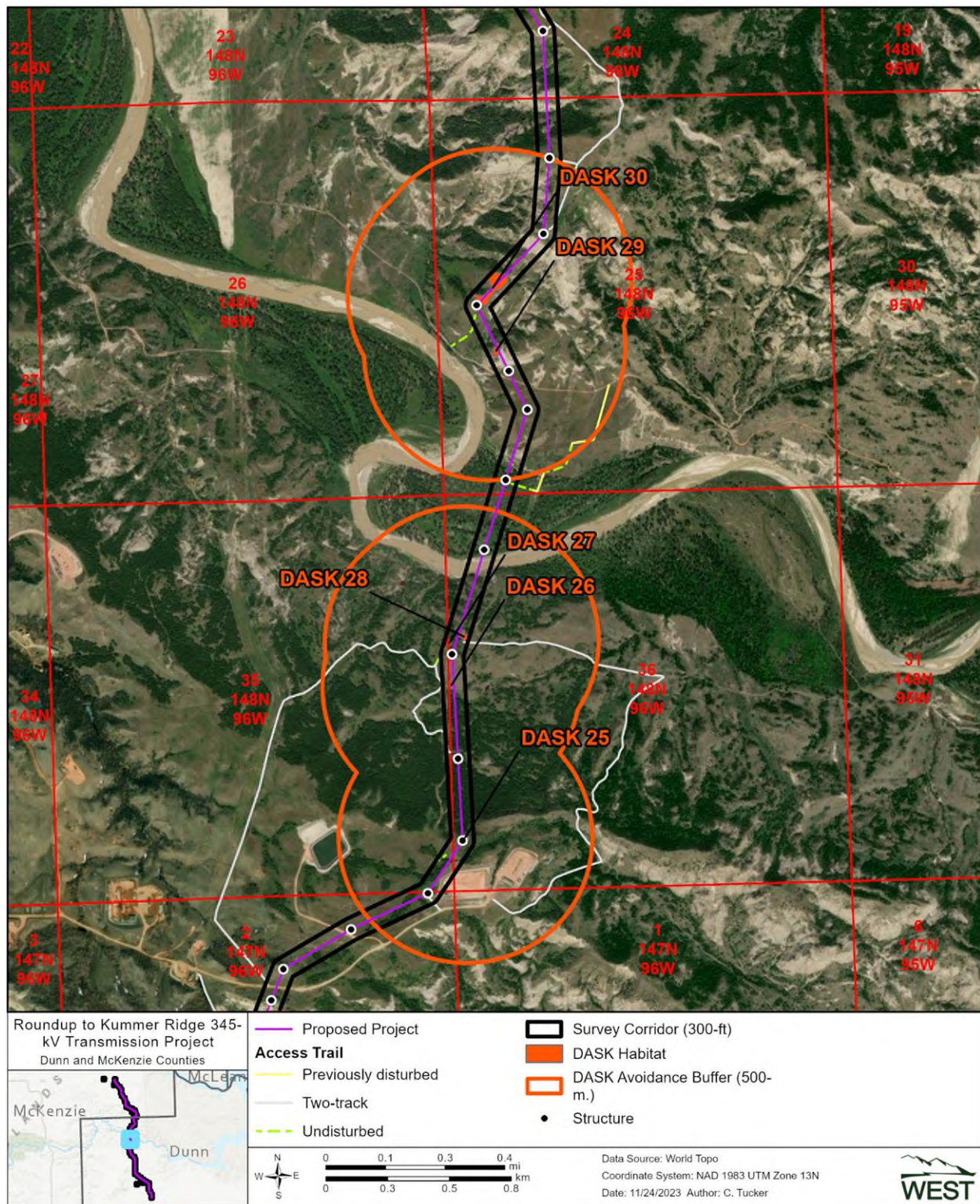


Figure 5-b. DASK avoidance buffers (500-m.) applied to the potential DASK habitat locations documented during the field surveys.

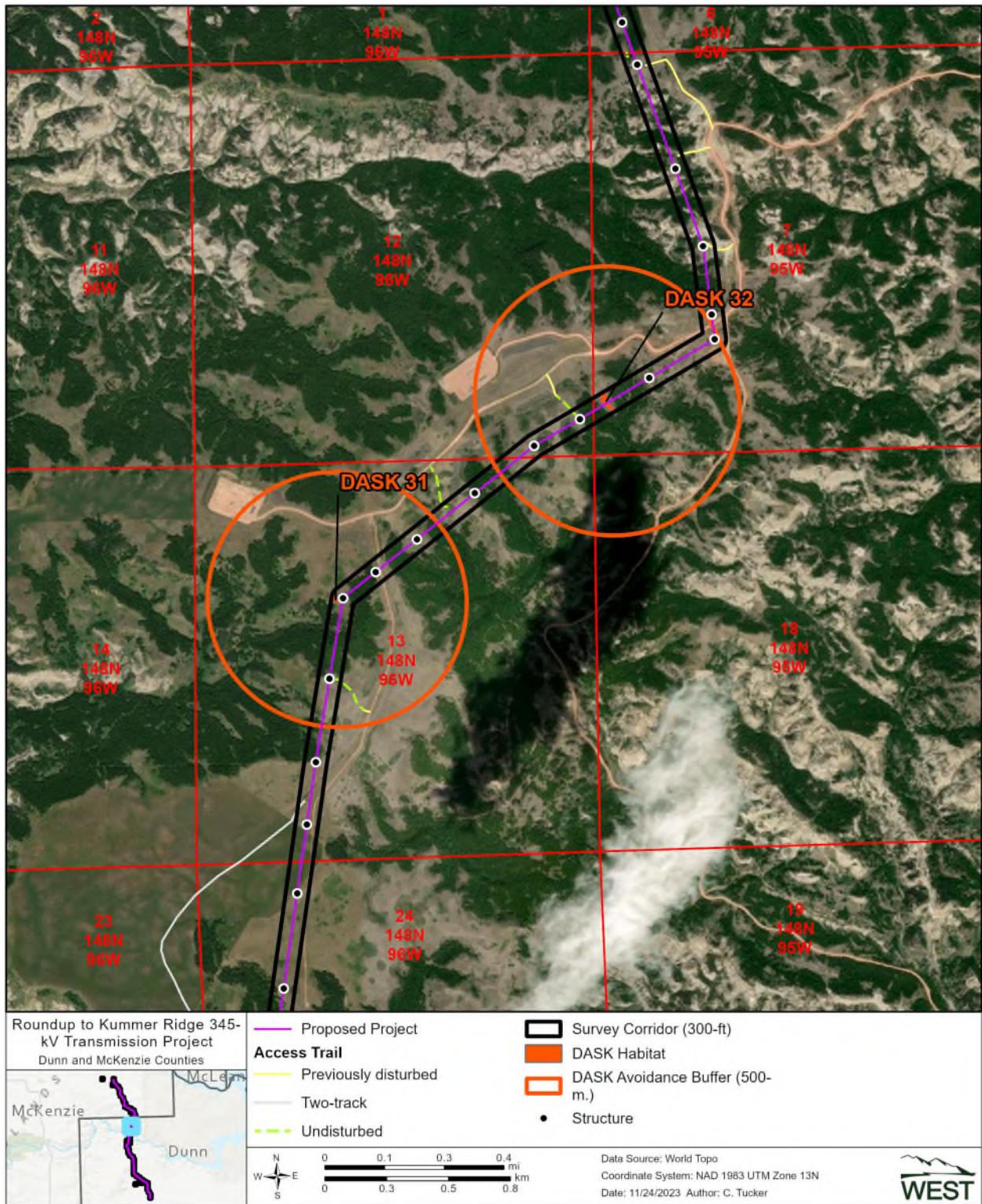


Figure 6-c. DASK avoidance buffers (500-m.) applied to the potential DASK habitat locations documented during the field surveys.

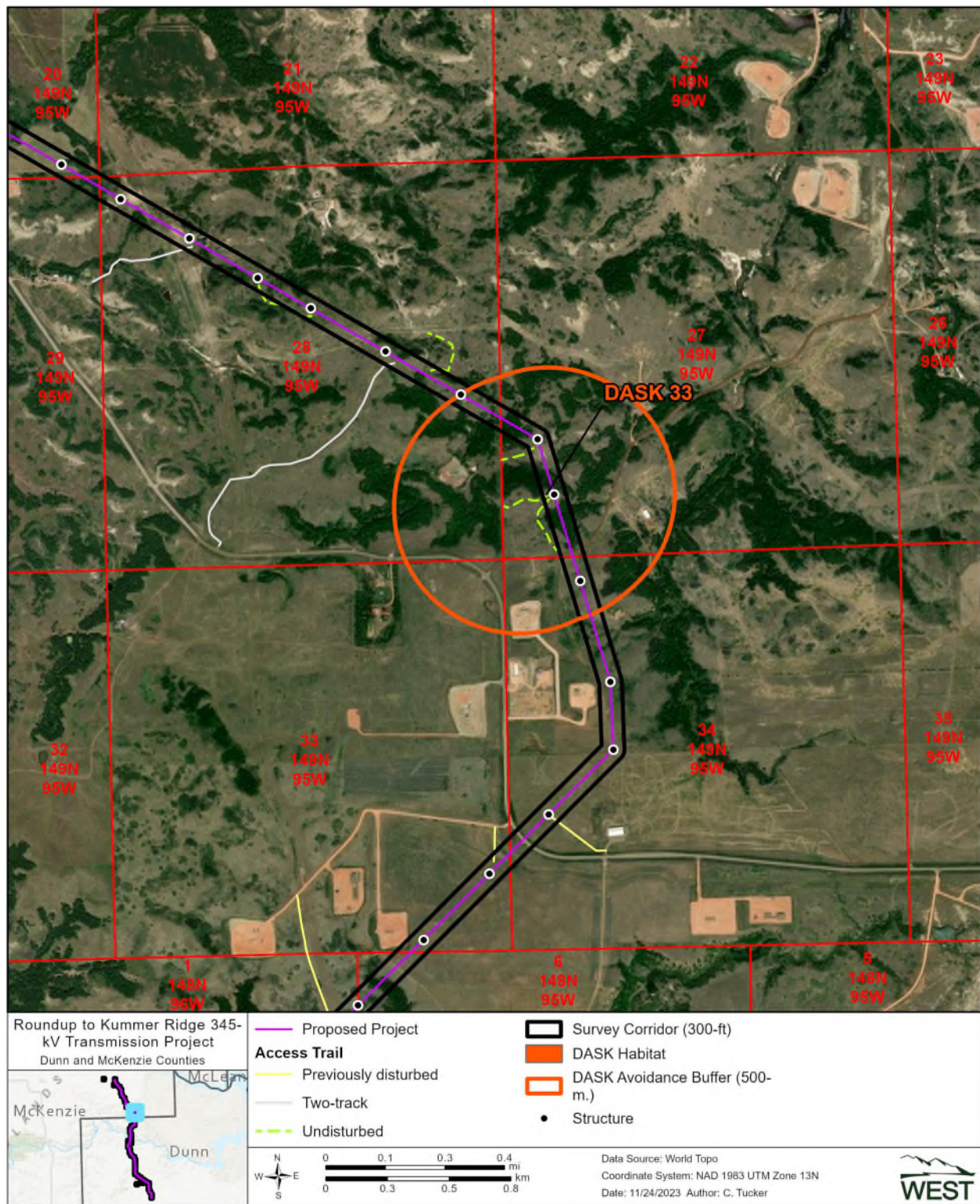


Figure 7-d. DASK avoidance buffers (500-m.) applied to the potential DASK habitat locations documented during the field surveys.

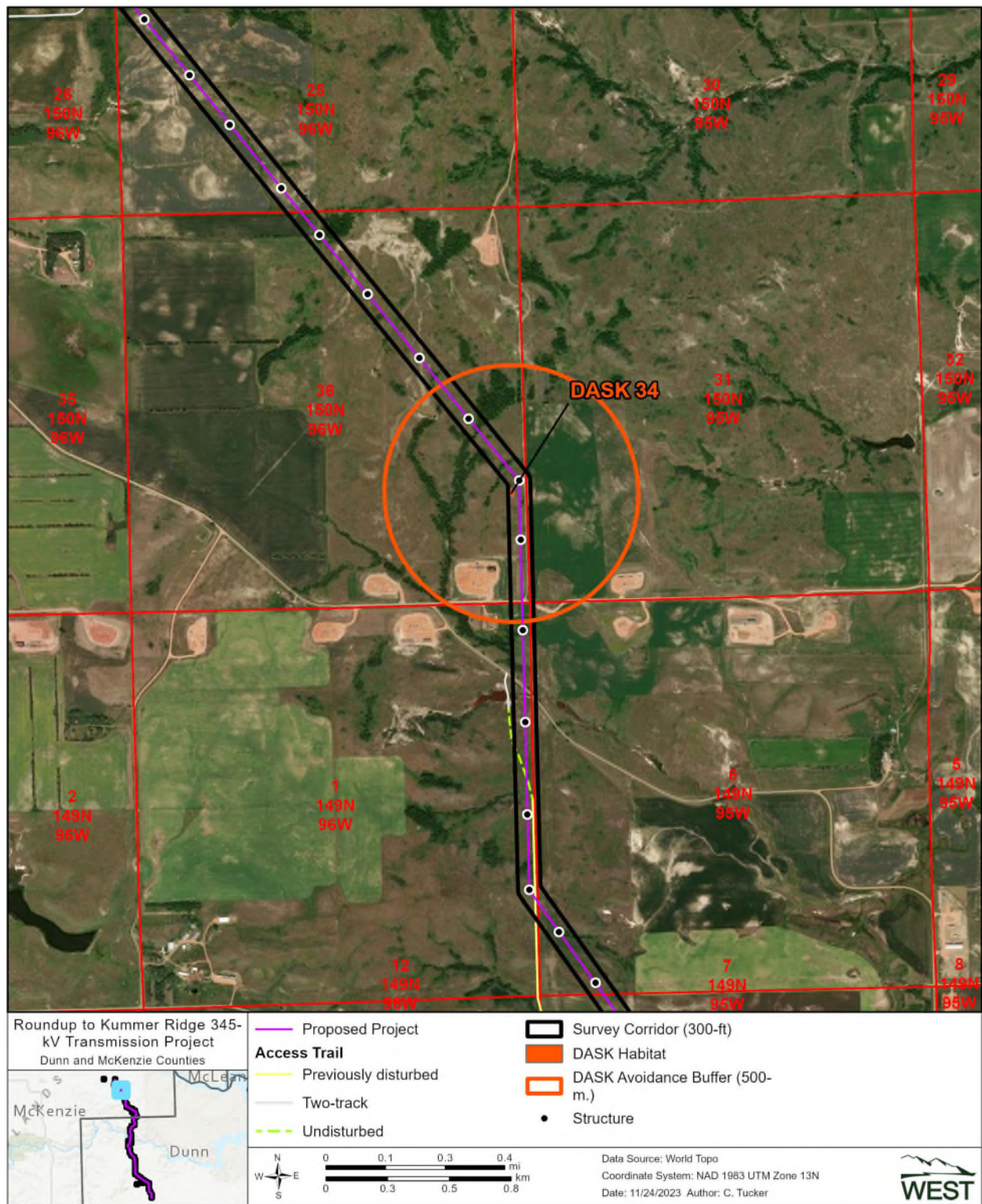


Figure 8-e. DASK avoidance buffers (500-m.) applied to the potential DASK habitat locations documented during the field surveys.

3.3.4 *Piping Plover*

The piping plover (*Charadrius melodus*) is a migratory shorebird that breeds in North Dakota. Suitable nesting habitat for piping plovers includes alkaline wetlands and the shoreline of the Missouri River system; this habitat has been characterized as sparsely vegetated channel sandbars, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel. The piping plover feeds on worms, insects, and mollusks. The decline of piping plover populations is due to the loss of habitat from river impoundment(s), as well as the degradation of habitat related to the channelization river systems, nest predation, and human disturbance (USFWS 1985).

Critical habitat for the Northern Great Plains piping plover has been designated on alkali lakes and wetlands, the Yellowstone River, and Missouri River in North Dakota. The physical and biological features that are essential to the conservation of the species, referred to as the primary constituent elements, require special consideration for protection. These include sparsely vegetated alkaline wetlands, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel. This Project is approximately 9.5 mi (15.3 km) west of the nearest critical habitat, which is the Missouri River system. (Appendix A; USFWS 2023b). The field survey documented that the Survey Corridor is predominantly cropland and contains wetlands and waterbodies that are well vegetated and do not provide bare ground suitable for nesting habitat.

3.3.5 *Rufa Red Knot*

The red knot (*Calidris canutus*) is a shorebird breeds in the central Canadian Arctic, with primary breeding grounds in Nunavut Territory, but some potential breeding habitat extending into the Northwest Territories (USFWS 2013b). The rufa red knot (*C. canutus rufa*) winters along the Atlantic coasts of Argentina and Chile (particularly the island of Tierra del Fuego), the north coast of Brazil, and further north into Mexico and the southeast United States (USFWS 2014b). During migration, the rufa red knot primarily follows the Atlantic coastline to and from breeding and wintering grounds. However, geolocator results from red knots wintering in Texas showed that a comparatively small population of birds migrate using the Central Flyway across the Midwestern US and may have a northern Great Plains stopover (USFWS 2013b). Rufa red knots spend two to three months annually on the breeding grounds located in northern Canada.

Red knots are specialized molluscivores, feeding primarily on hard-shelled mollusks in relatively soft, wet sand/sediment (USFWS 2014b). In addition to mollusks, red knots may feed upon shrimp, crabs, marine worms, horseshoe crab (*Limulus* spp.) eggs, and other similar invertebrates. On the breeding grounds, rufa red knots feed mostly on terrestrial invertebrates and grass shoots and seeds (USFWS 2013b).

The shoreline of the Missouri River provides stopover habitat for red knots utilizing a midcontinental migratory route during annual migrations. However, the species is rare and is not reported in North Dakota every year. Reported historical sightings since 1900 (Igl 2015) are primarily composed of single individuals or relatively small flocks; however, on rare occasions, larger flocks have been reported. Many of these sightings have been made in the prairie pothole

region during the spring migration in late April through May. An increase in future sightings may result from an increase in public awareness.

The red knot migrates twice annually from its breeding grounds in the Arctic to wintering habitat in southern climates. It does not nest in North Dakota but may use areas along the Missouri River as stopover habitat. The Project is located approximately 9.5 mi (15.3 km) west of the Missouri River system and the Survey Corridor does not have suitable shoreline stopover habitat for the rufa red knot.

3.3.6 Monarch Butterfly

The monarch butterfly (*Danaus plexippus*) is currently a candidate for listing under the Endangered Species Act (ESA), and a listing decision is currently anticipated in 2024. Candidate species do not receive statutory protections under the ESA, but are reevaluated annually for listing priority, and, therefore, are likely to be listed in the future.

The species occurs throughout the Great Plains and much of North America. Monarchs prefer open habitats with flowering plants and lay their eggs exclusively on milkweeds (*Asclepias* spp.), which the larvae feed on until pupation (U.S. Forest Service [USFS] 2021). Monarch butterflies will breed in North Dakota during the summer and migrate south to Mexico for the winter; eventually, the butterflies will make their way back to North Dakota during spring migration. Suitable habitat, including wetlands, roadsides with common milkweed (*Asclepias syriaca*), and upland grassland habitat with flowering species, was observed during the field survey. Much of the herbaceous habitat is rangeland used for livestock grazing or grasslands in roadside ditches. Due to the presence of suitable habitat, it is possible for this species to occur within the Survey Corridor.

3.4 Nesting Raptor Survey

An aerial survey of the Project Survey Corridor plus a one mi buffer on either side was conducted on April 24, 2023. One active raptor nest was documented during the survey. The nest is a bald eagle (*Haliaeetus leucocephalus*) nest located in the NW1/4 of Section 36, T148N, R96W. The nest is approximately 345 ft (105 m) from the Project centerline. Due to geological landslide hazards in the area, the Project cannot be moved further from the nest. BEPC has applied for a USFWS Eagle Nest Disturbance Permit and will have possession of the Permit prior to construction.

3.5 Noxious Weed Inventory

A pedestrian survey of the Survey Corridor was conducted for state and county listed noxious weeds. Seventeen populations of Canada thistle (*Cirsium arvense*) and two populations of leafy spurge (*Euphorbia esula*) covering 0.94 acres total were documented. Noxious weed attributes are listed in Table 7 and depicted in Appendix A.

Table 7. Noxious weed locations within the Survey Corridor

Name	Species	Class	PLSS	Acres
NW-1	Canada thistle	State listed	Sec. 6, T146N, R95W	0.01
NW-2	Canada thistle	State listed	Sec. 6, T146N, R95W	0.01
NW-3	Canada thistle	State listed	Sec. 30, T147N, R95W	0.01
NW-4	Canada thistle	State listed	Sec. 13, T147N, R96W	0.01
NW-5	Canada thistle	State listed	Sec. 12, T147N, R96W	0.06
NW-6	Canada thistle	State listed	Sec. 2, T147N, R96W	0.04
NW-7	Canada thistle	State listed	Sec. 2, T147N, R96W	0.03
NW-8	Canada thistle	State listed	Sec. 35, T148N, R96W	0.03
NW-9	Canada thistle	State listed	Sec. 35, T148N, R96W	0.02
NW-10	Leafy spurge	State listed	Sec. 25, T148N, R96W	0.11
NW-11	Leafy spurge	State listed	Sec. 13, T148N, R96W	0.07
NW-12	Canada thistle	State listed	Sec. 7, T148N, R95W	0.01
NW-13	Canada thistle	State listed	Sec. 6, T148N, R95W	0.03
NW-14	Canada thistle	State listed	Sec. 18, T149N, R95W	0.02
NW-15	Canada thistle	State listed	Sec. 18, T149N, R95W	0.11
NW-16	Canada thistle	State listed	Sec. 6, T149N, R95W	0.06
NW-17	Canada thistle	State listed	Sec. 26, T150N, R96W	0.09
NW-18	Canada thistle	State listed	Sec. 23, T150N, R96W	0.18
NW-19	Canada thistle	State listed	Sec. 23, T150N, R96W	0.04
Total				0.94

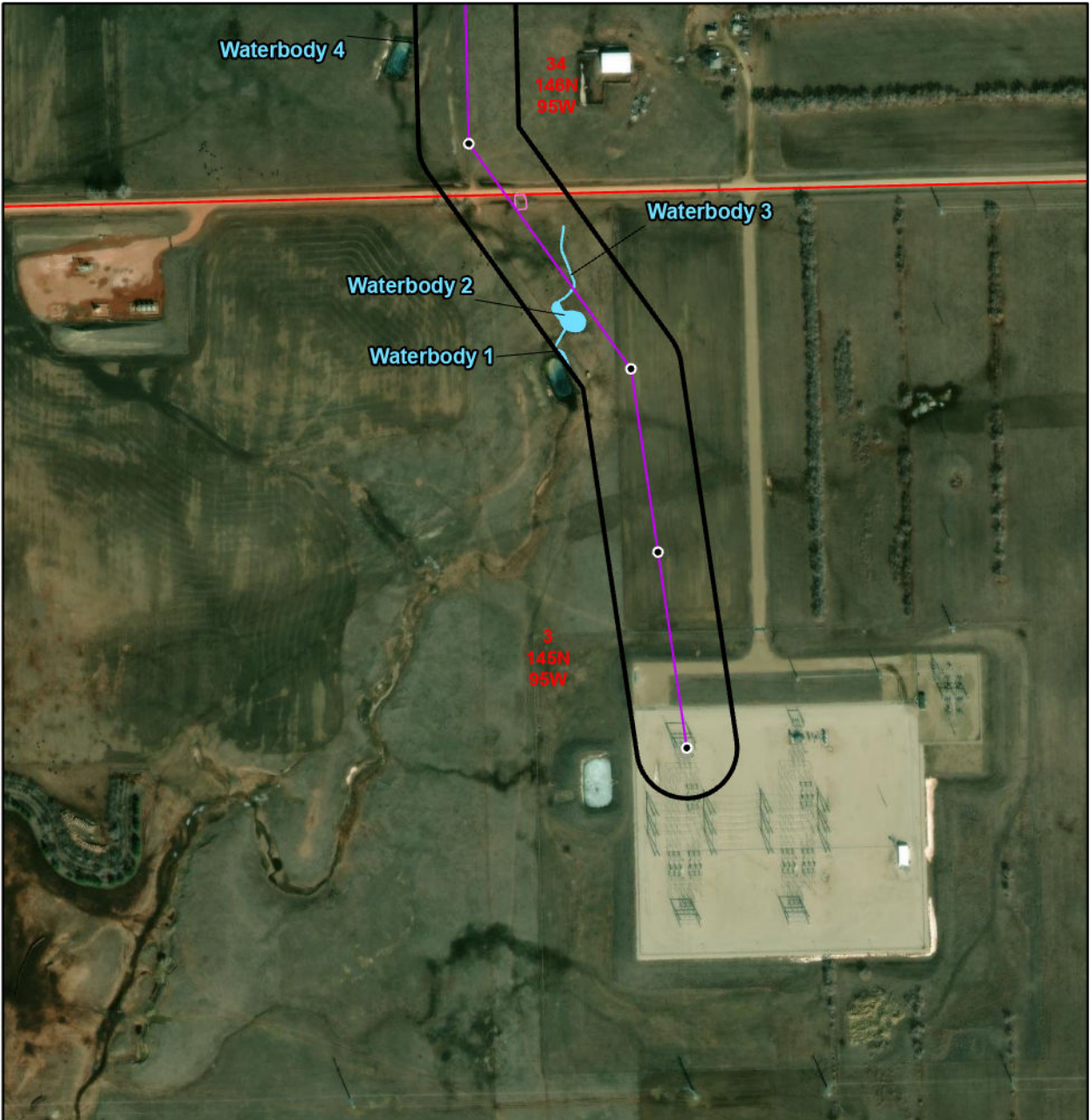
PLSS = Public Land Survey System; R = Range; Sec. = Section; T = Township; W = west.

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Appendix A. Natural Resource Inventory



Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track — Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest • Structure
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Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





34
146N
95W

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



— Proposed Project

Access Trail

- Previously disturbed
- Two-track
- Undisturbed

▭ Survey Corridor (300-ft)

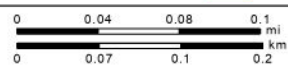
- - - Access Survey Corridor (30-ft)

- ▭ Noxious Weeds
- ▭ DASK Habitat
- ▭ Tree Removal Area

▭ Waterbody

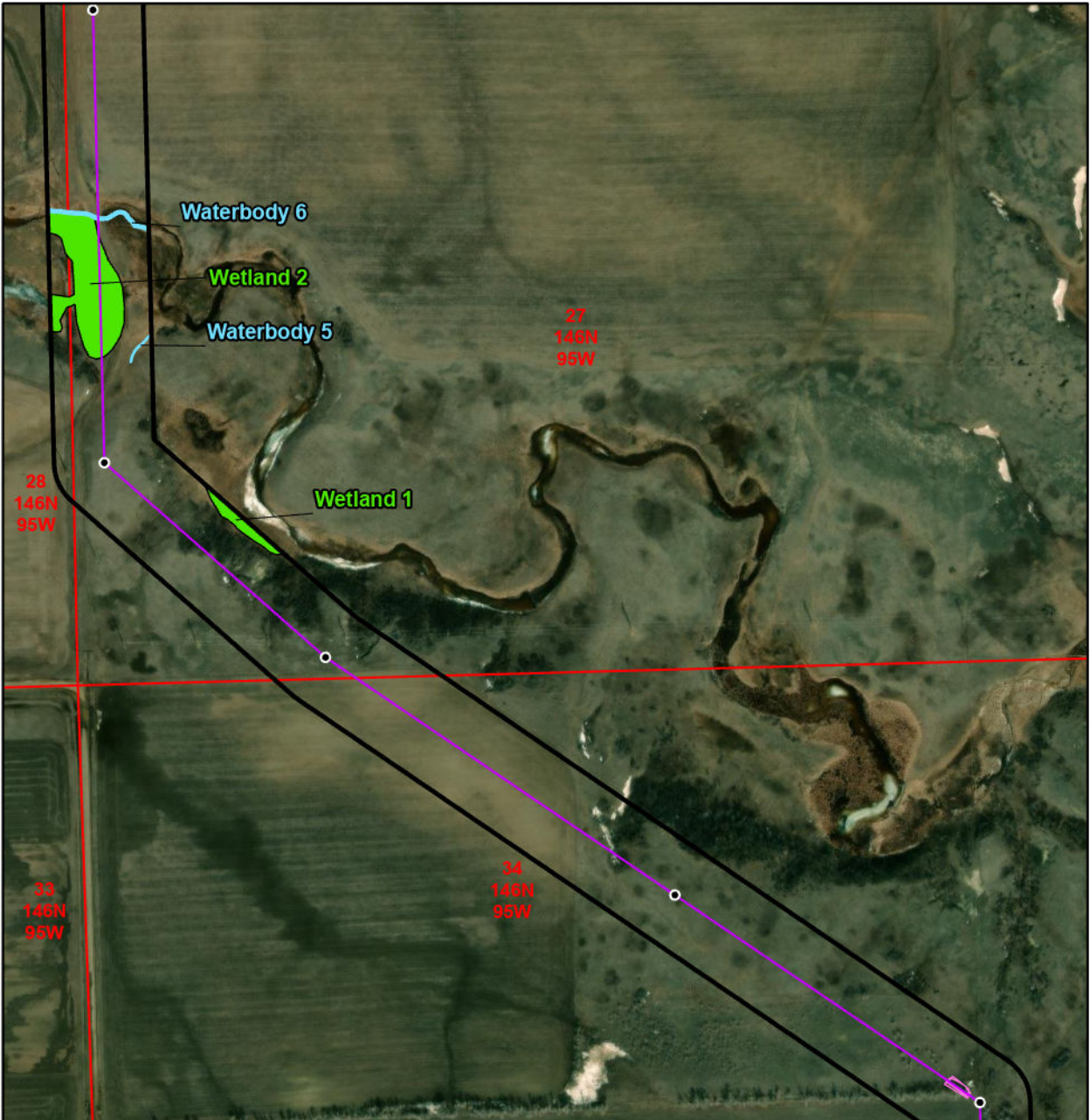
▭ Wetland

- ☾ Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest • Structure
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Page Number: 3

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker

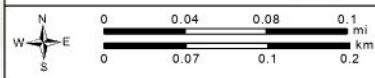


Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 4



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



<ul style="list-style-type: none"> Proposed Project Access Trail Previously disturbed Two-track Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest Structure
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Page Number: 5

		<p>Data Source: World Topo Coordinate System: NAD 1983 UTM Zone 13N Date: 11/24/2023 Author: C. Tucker</p>
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Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest • Structure
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N
W — E
S

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



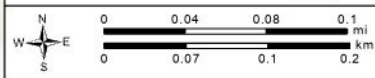


Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 7



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



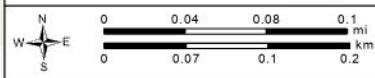


Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 8



Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker

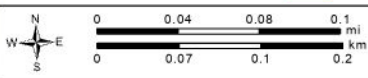




Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



- Proposed Project
- Survey Corridor (300-ft)
- Access Survey Corridor (30-ft)
- Waterbody
- Access Trail
- Two-track
- Undisturbed
- Noxious Weeds
- DASK Habitat
- Tree Removal Area
- Wetland
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



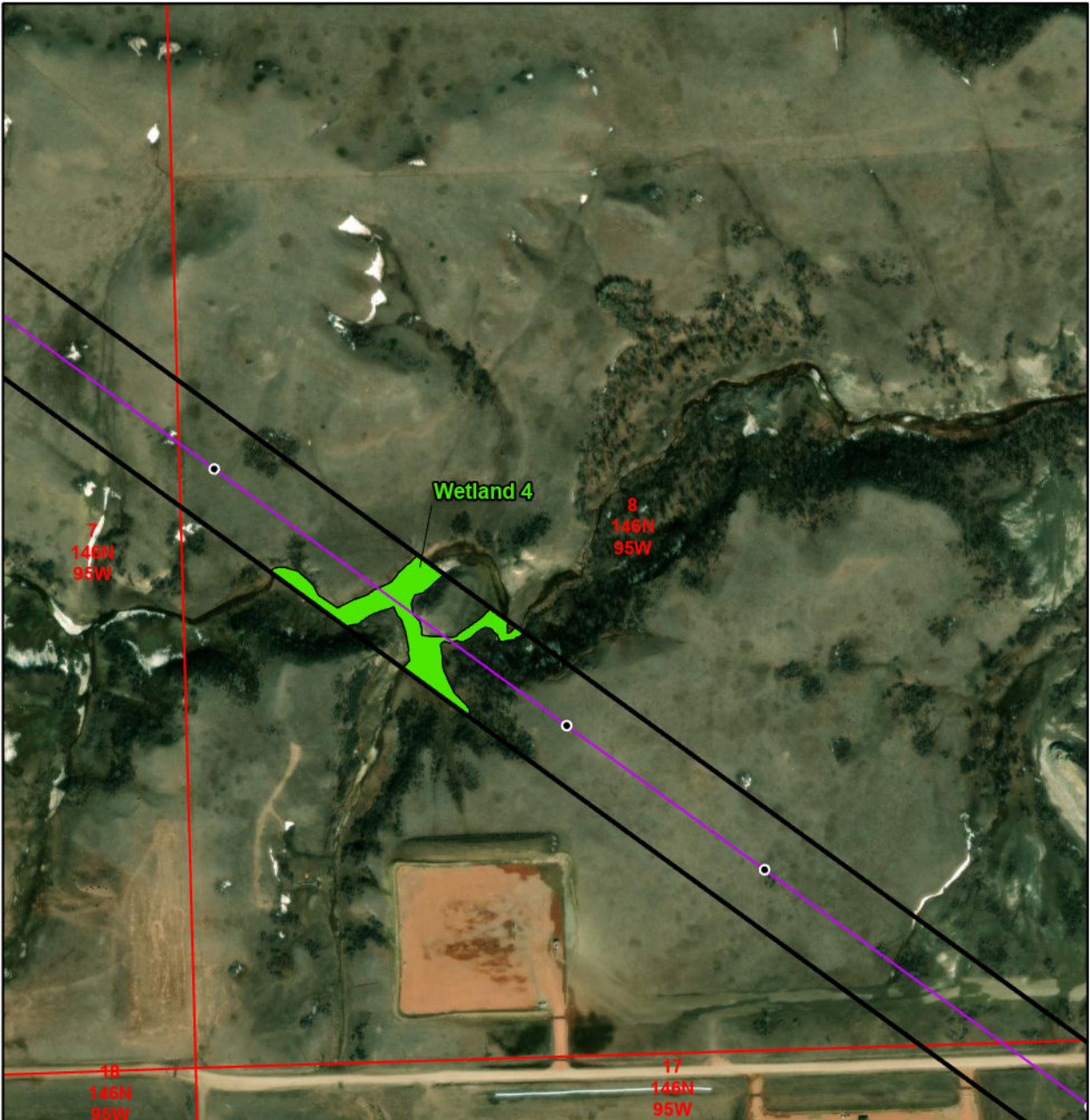
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N
E
S
W

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker

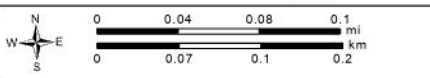
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Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

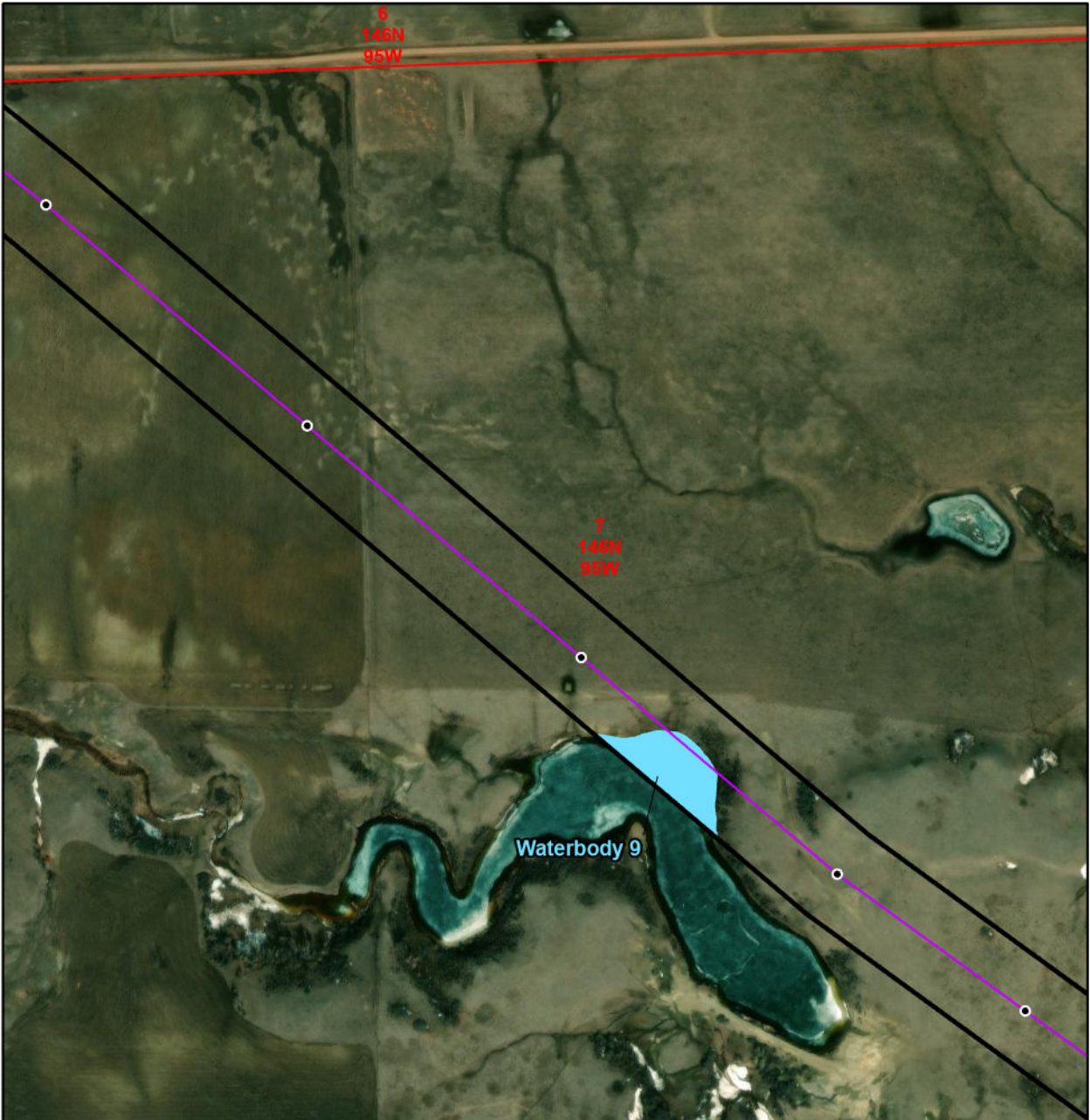


- | | | |
|----------------------|--------------------------------|------------------------|
| Proposed Project | Survey Corridor (300-ft) | Waterbody |
| Access Trail | Access Survey Corridor (30-ft) | Wetland |
| Previously disturbed | Noxious Weeds | Active Bald Eagle Nest |
| Two-track | DASK Habitat | Structure |
| Undisturbed | Tree Removal Area | |



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



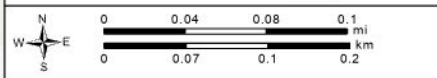


Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



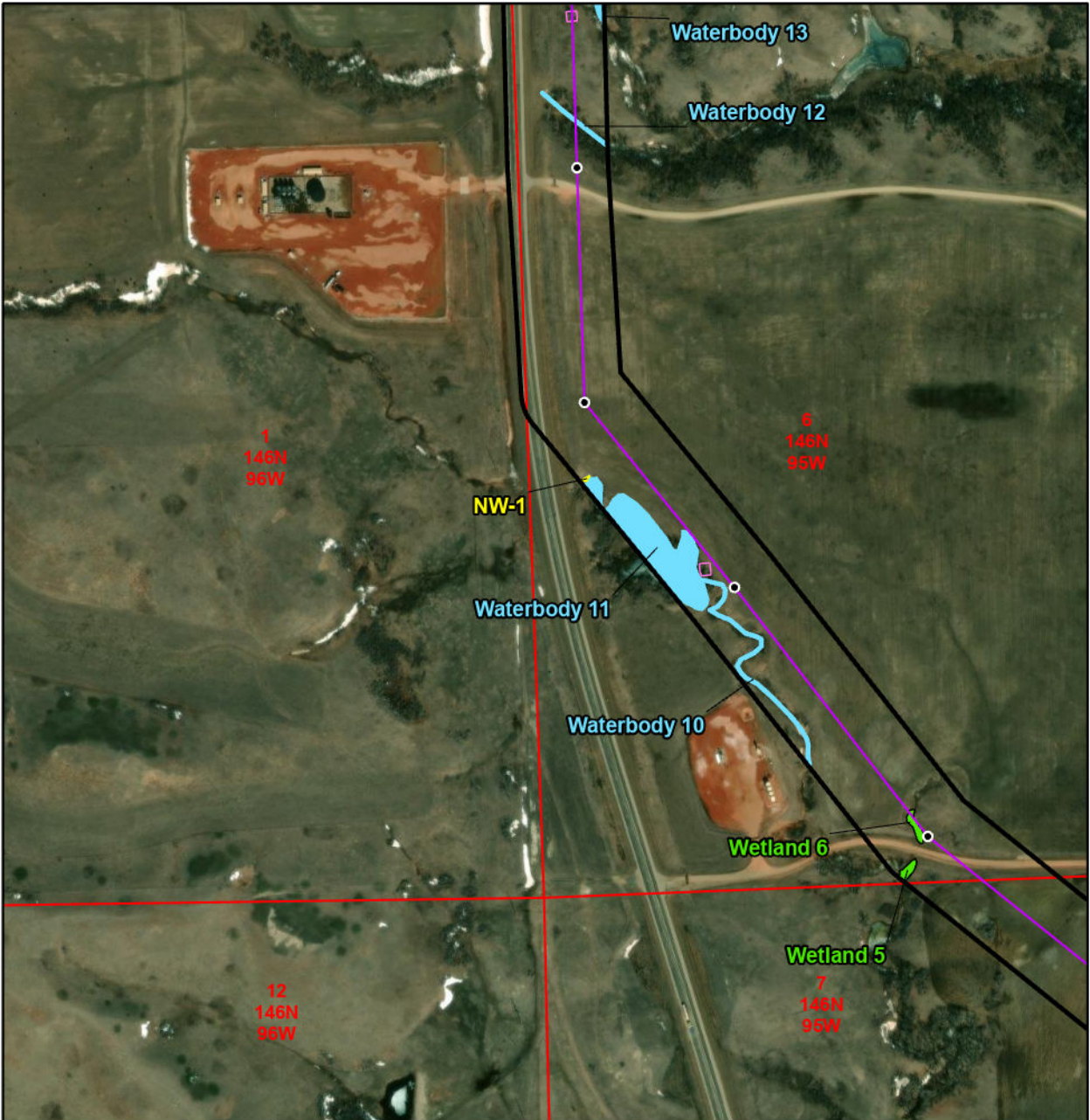
Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 12



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



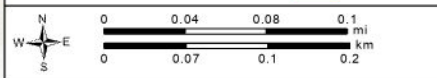


Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



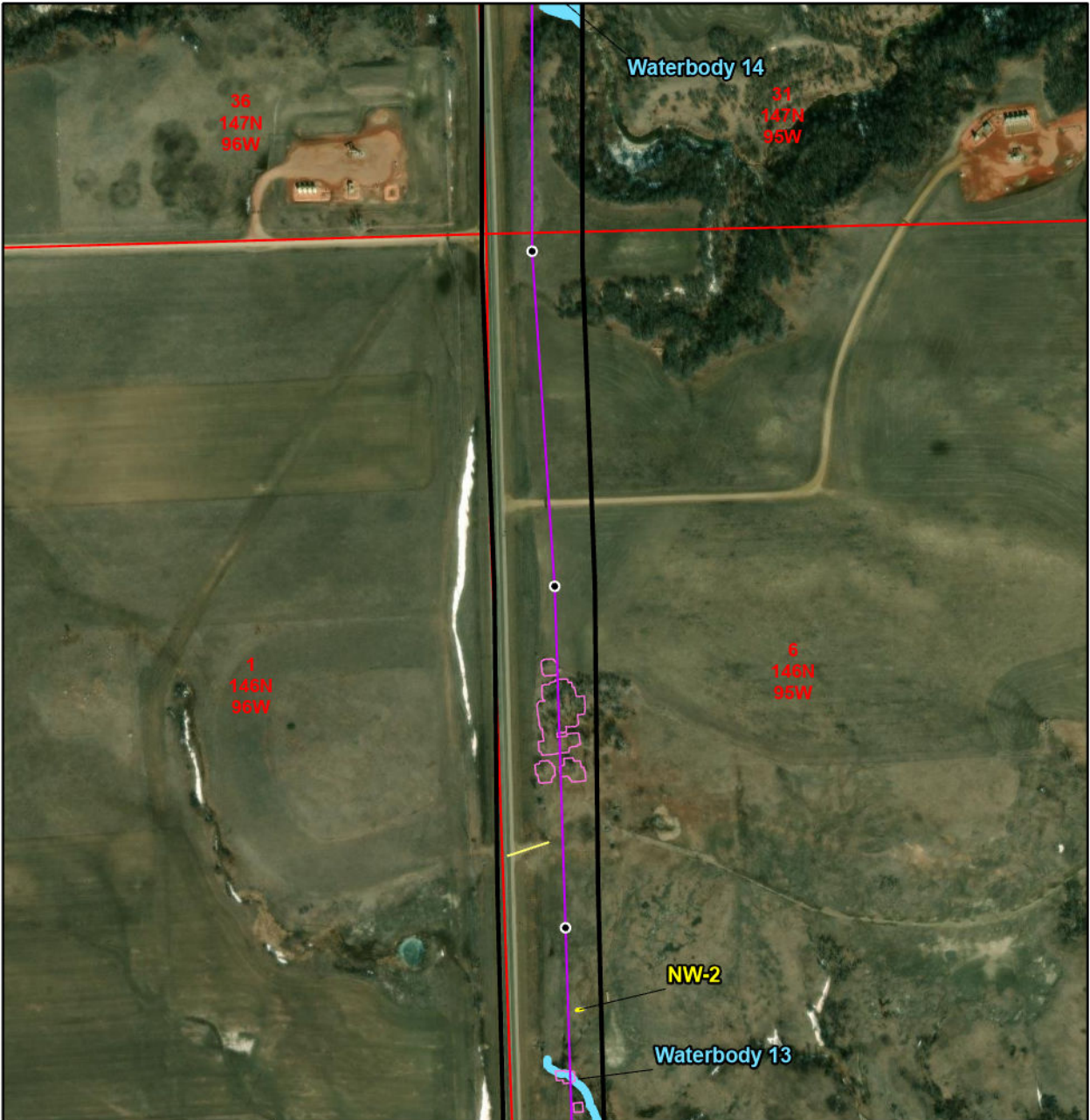
Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 13



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



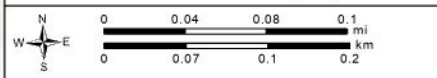


Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

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Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



<p>— Proposed Project</p> <p>Access Trail</p> <p>— Previously disturbed</p> <p>— Two-track</p> <p>— Undisturbed</p>	<p>▭ Survey Corridor (300-ft)</p> <p>- - - Access Survey Corridor (30-ft)</p> <p>▭ Noxious Weeds</p> <p>▭ DASK Habitat</p> <p>▭ Tree Removal Area</p>	<p>▭ Waterbody</p> <p>▭ Wetland</p> <p>☾ Active Bald Eagle Nest</p> <p>• Structure</p>
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Page Number: 15

0 0.04 0.08 0.1
0 0.07 0.1 0.2

mi
km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest • Structure
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N
W — E
S

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

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Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



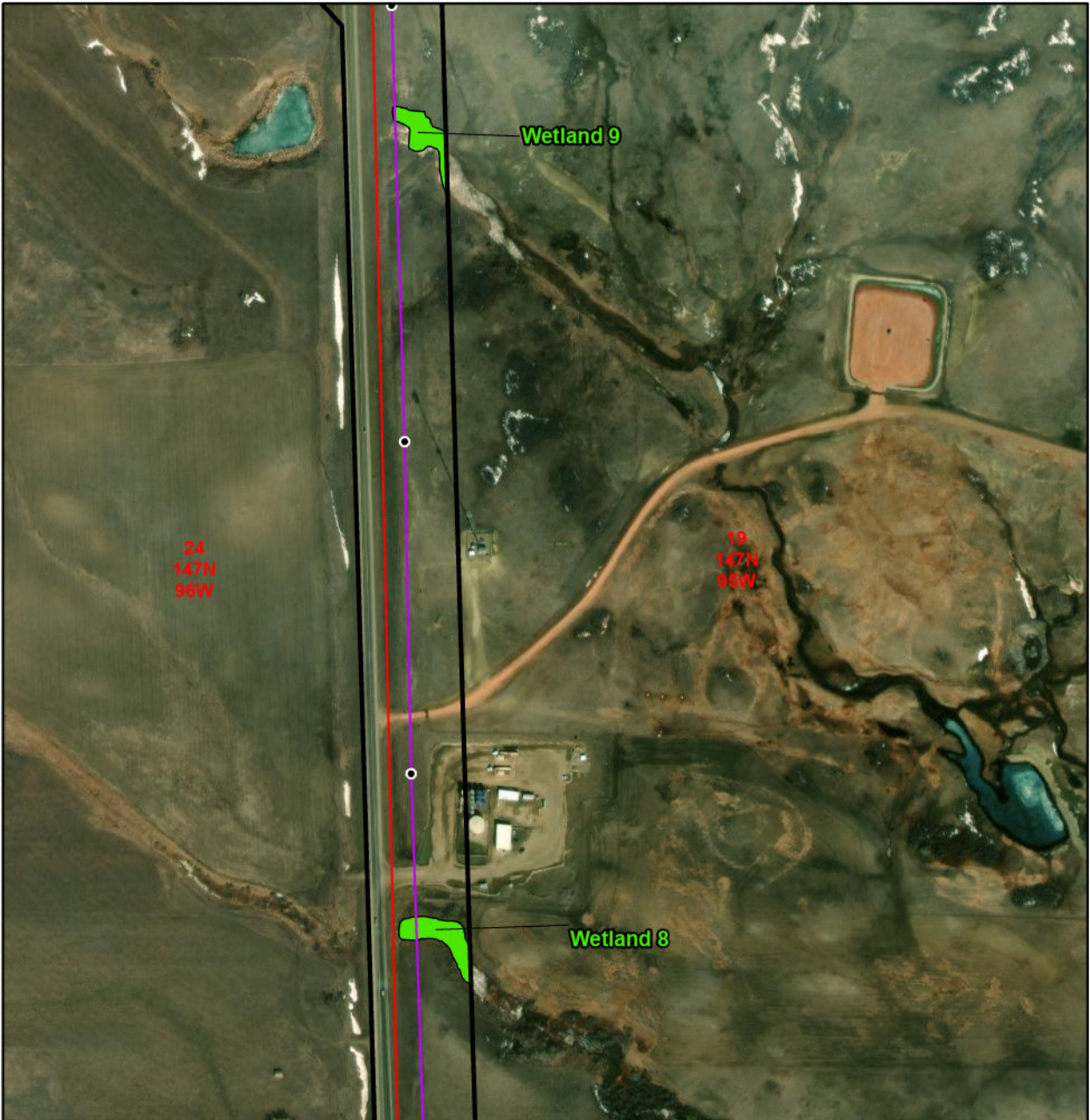
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N
W — E
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0 0.04 0.08 0.1 mi
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Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





24
147N
96W

19
147N
95W

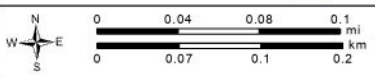
Wetland 9

Wetland 8

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



- Proposed Project
- Survey Corridor (300-ft)
- Access Survey Corridor (30-ft)
- Access Trail
- Previously disturbed
- Noxious Weeds
- DASK Habitat
- Two-track
- Undisturbed
- Tree Removal Area
- Waterbody
- Wetland
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



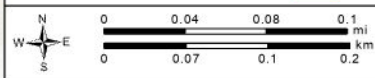


Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



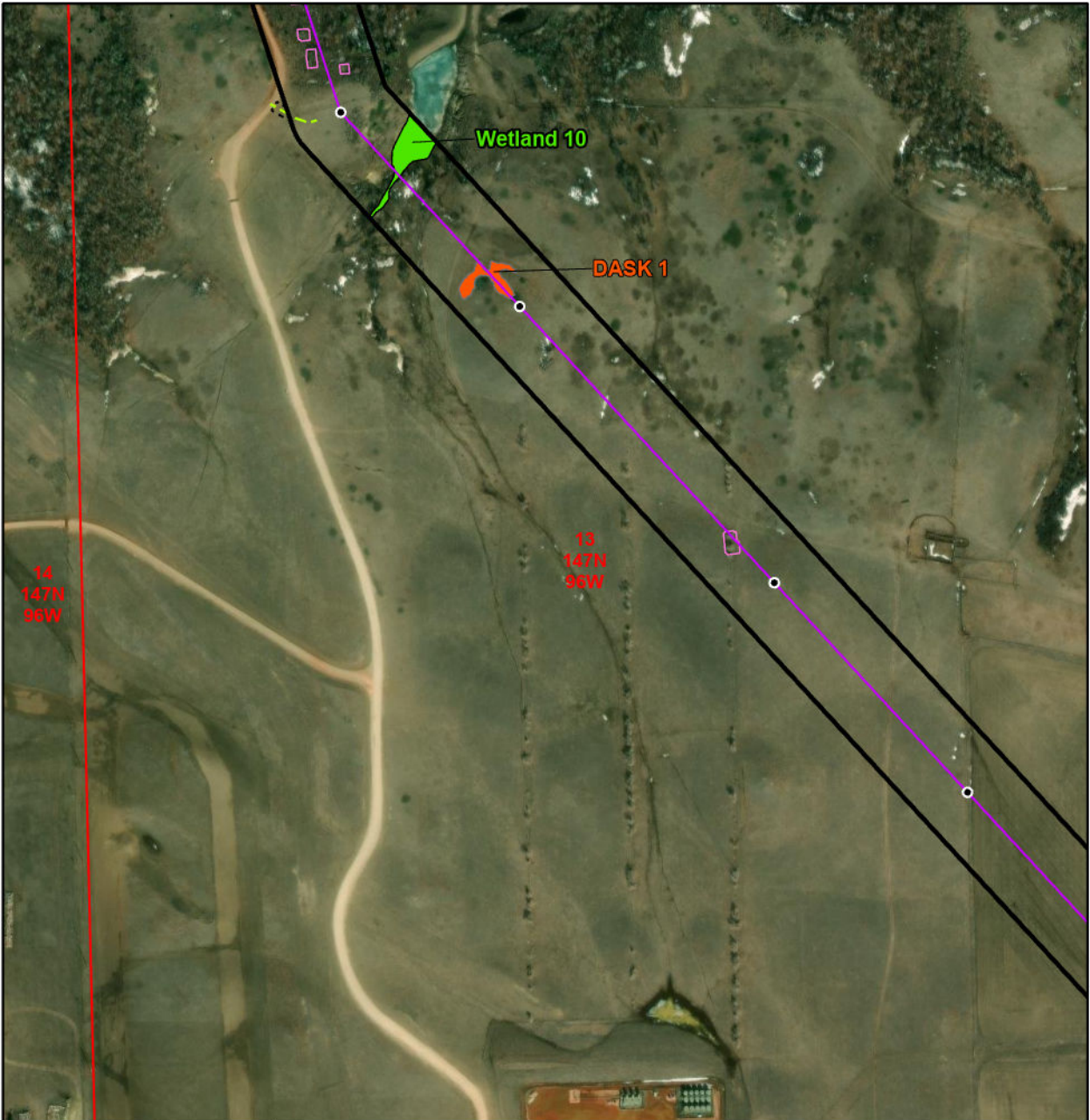
Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

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Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest Structure
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W — E
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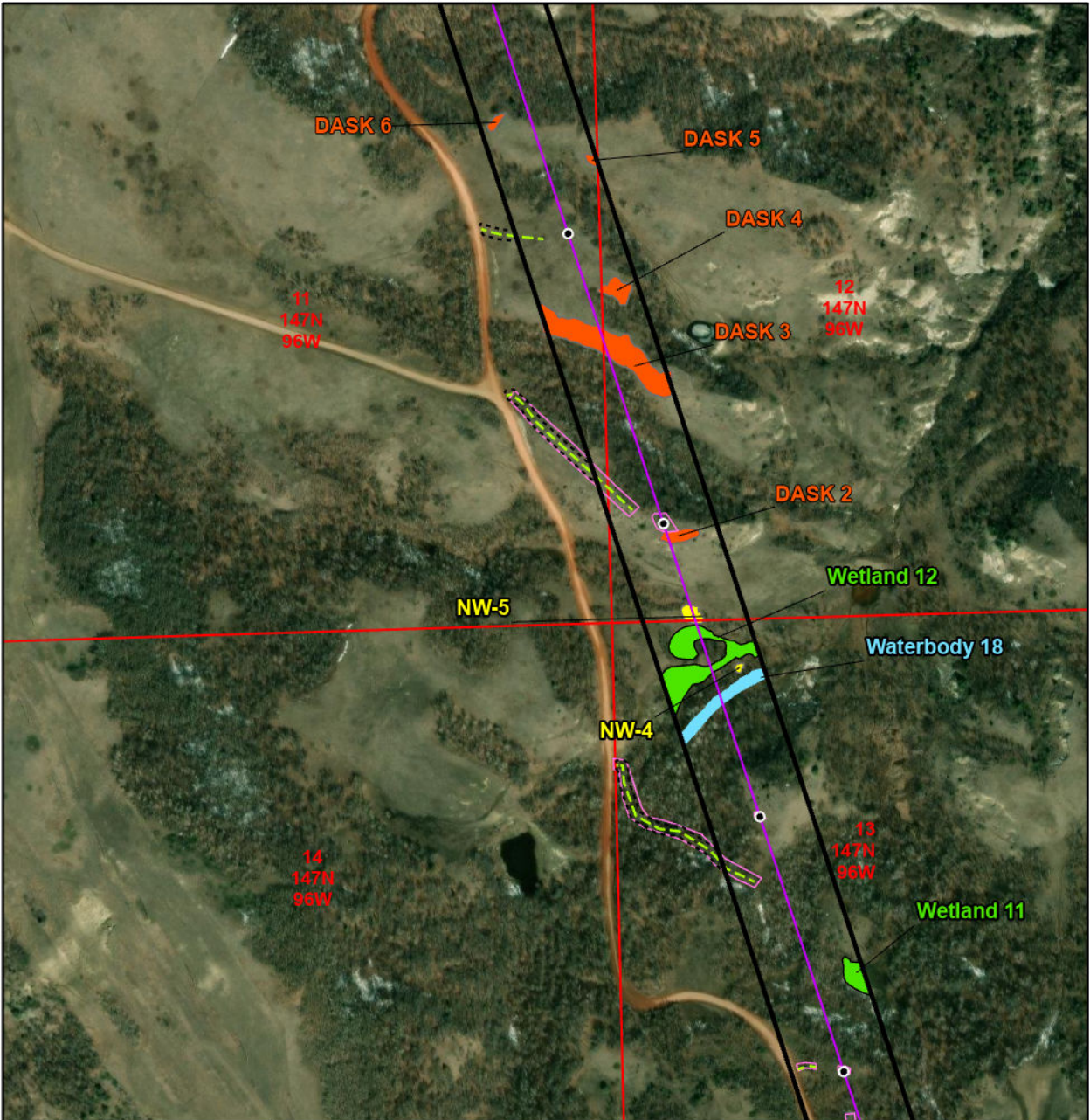
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mi
km

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 Date: 11/24/2023 Author: C. Tucker



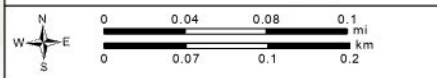


Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



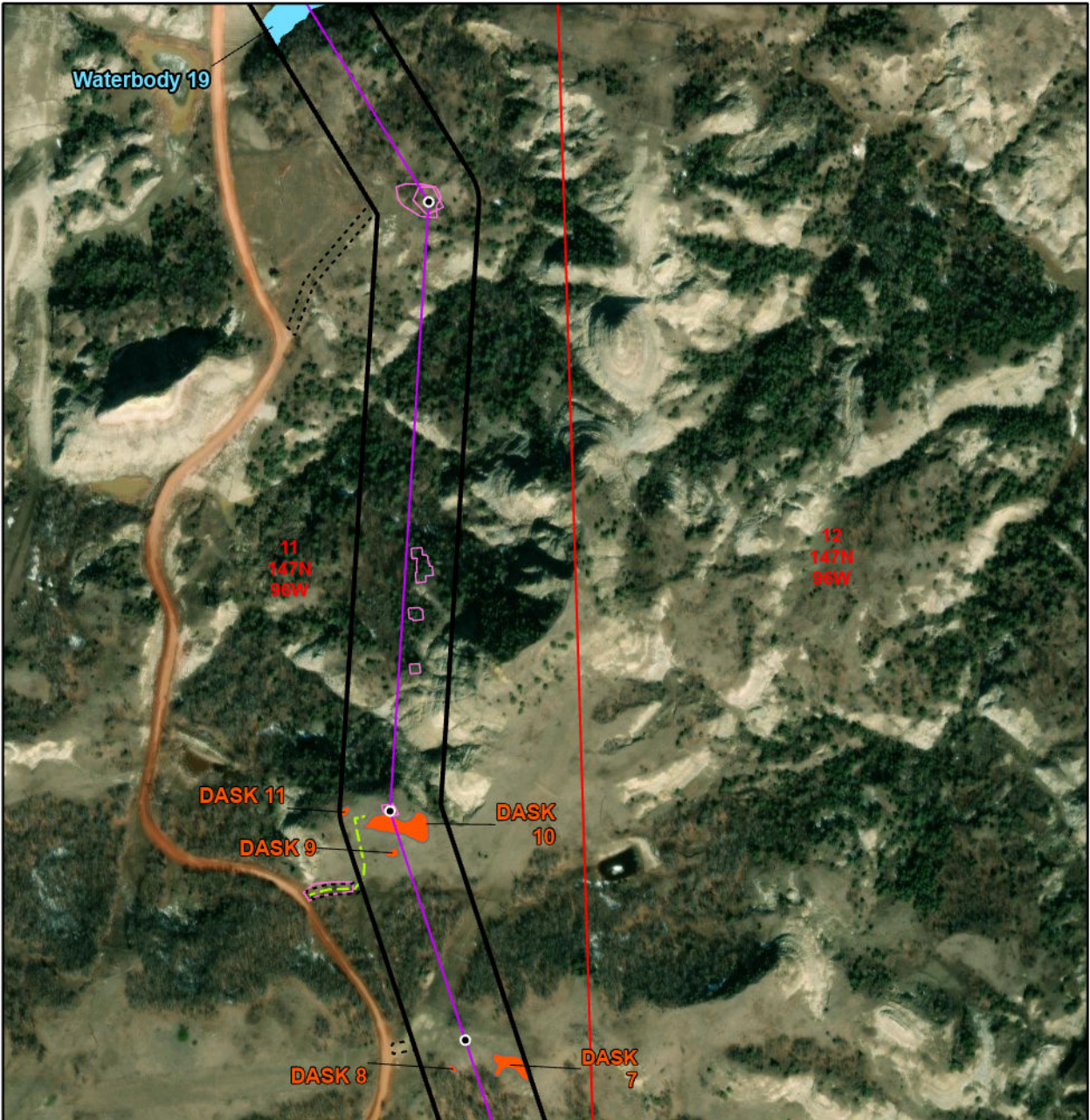
Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 21



Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker





Waterbody 19

11
147N
96W

12
147N
96W

DASK 11

DASK 10

DASK 9

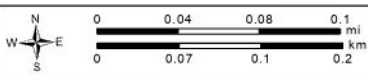
DASK 8

DASK 7

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

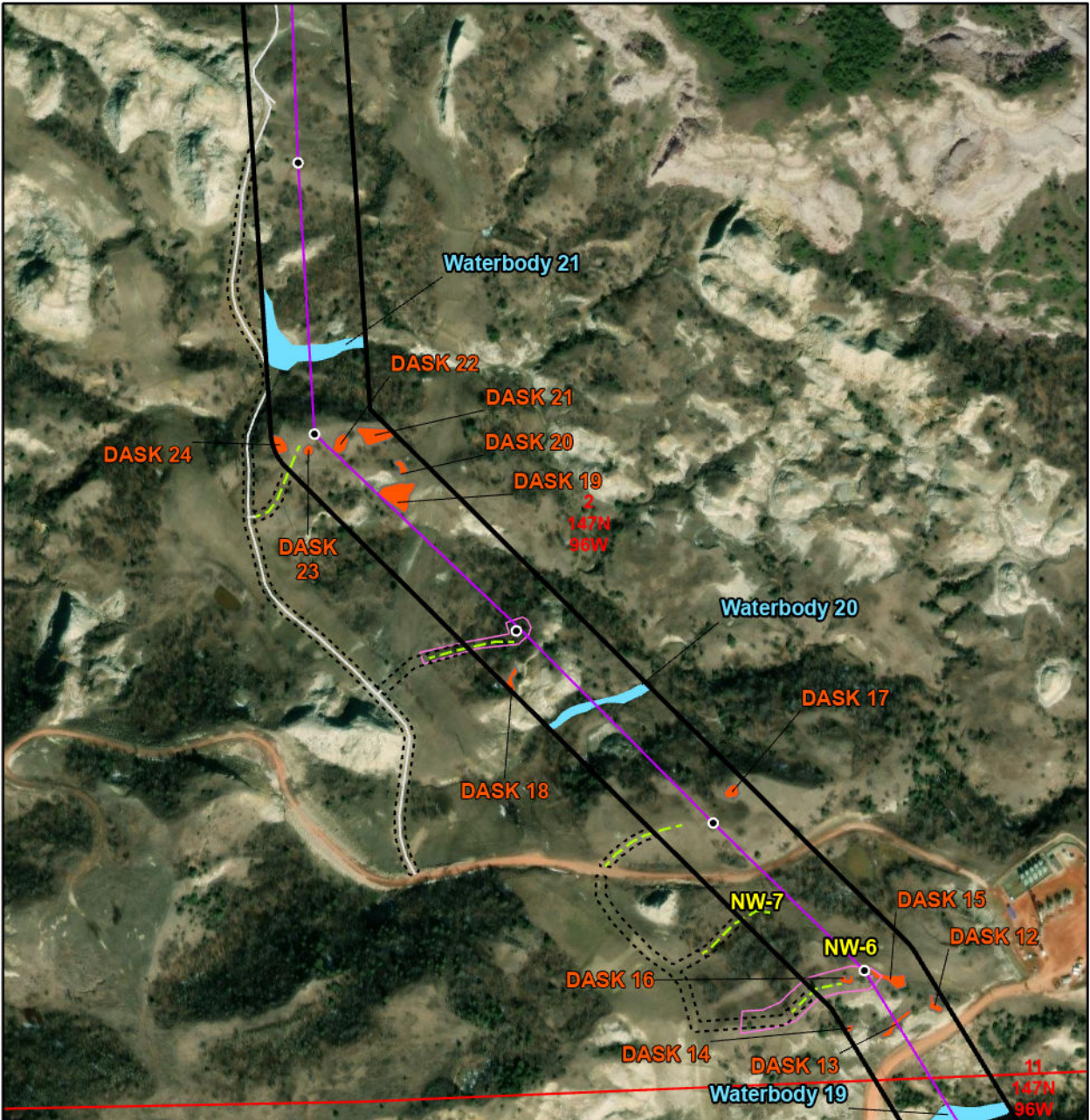


- Proposed Project
- Survey Corridor (300-ft)
- Access Survey Corridor (30-ft)
- Waterbody
- Access Trail
- Noxious Weeds
- Wetland
- Two-track
- Undisturbed
- DASK Habitat
- Tree Removal Area
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker

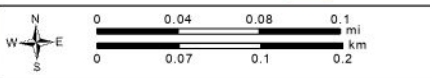




Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties

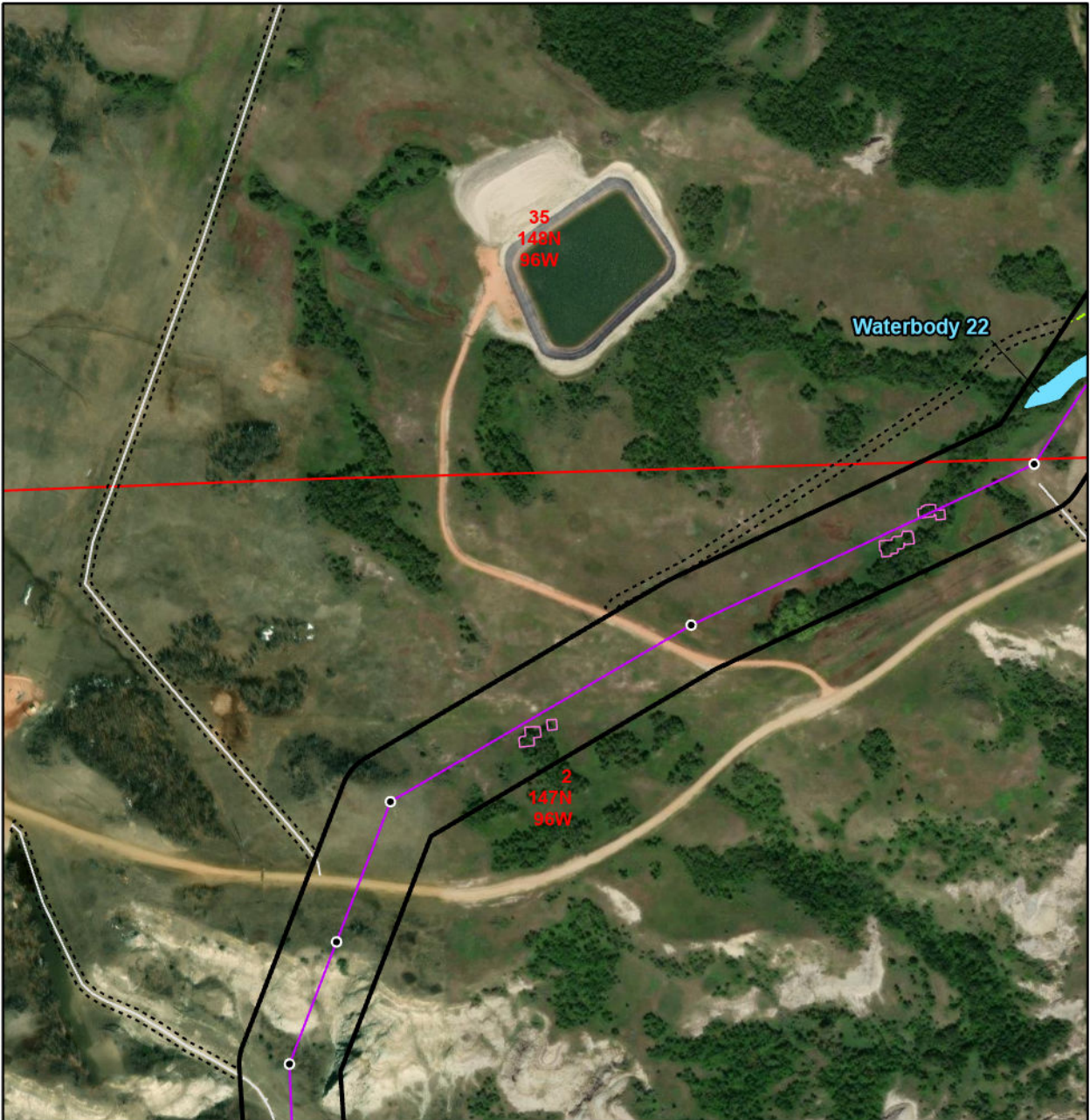


- | | | |
|----------------------|--------------------------------|------------------------|
| Proposed Project | Survey Corridor (300-ft) | Waterbody |
| Access Trail | Access Survey Corridor (30-ft) | Wetland |
| Previously disturbed | Noxious Weeds | Active Bald Eagle Nest |
| Two-track | DASK Habitat | Structure |
| Undisturbed | Tree Removal Area | |



Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker





Waterbody 22

35
148N
86W

2
147N
96W

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



Proposed Project

Access Trail

- Previously disturbed
- Two-track
- Undisturbed

Survey Corridor (300-ft)

Access Survey Corridor (30-ft)

- Noxious Weeds
- DASK Habitat
- Tree Removal Area

Waterbody

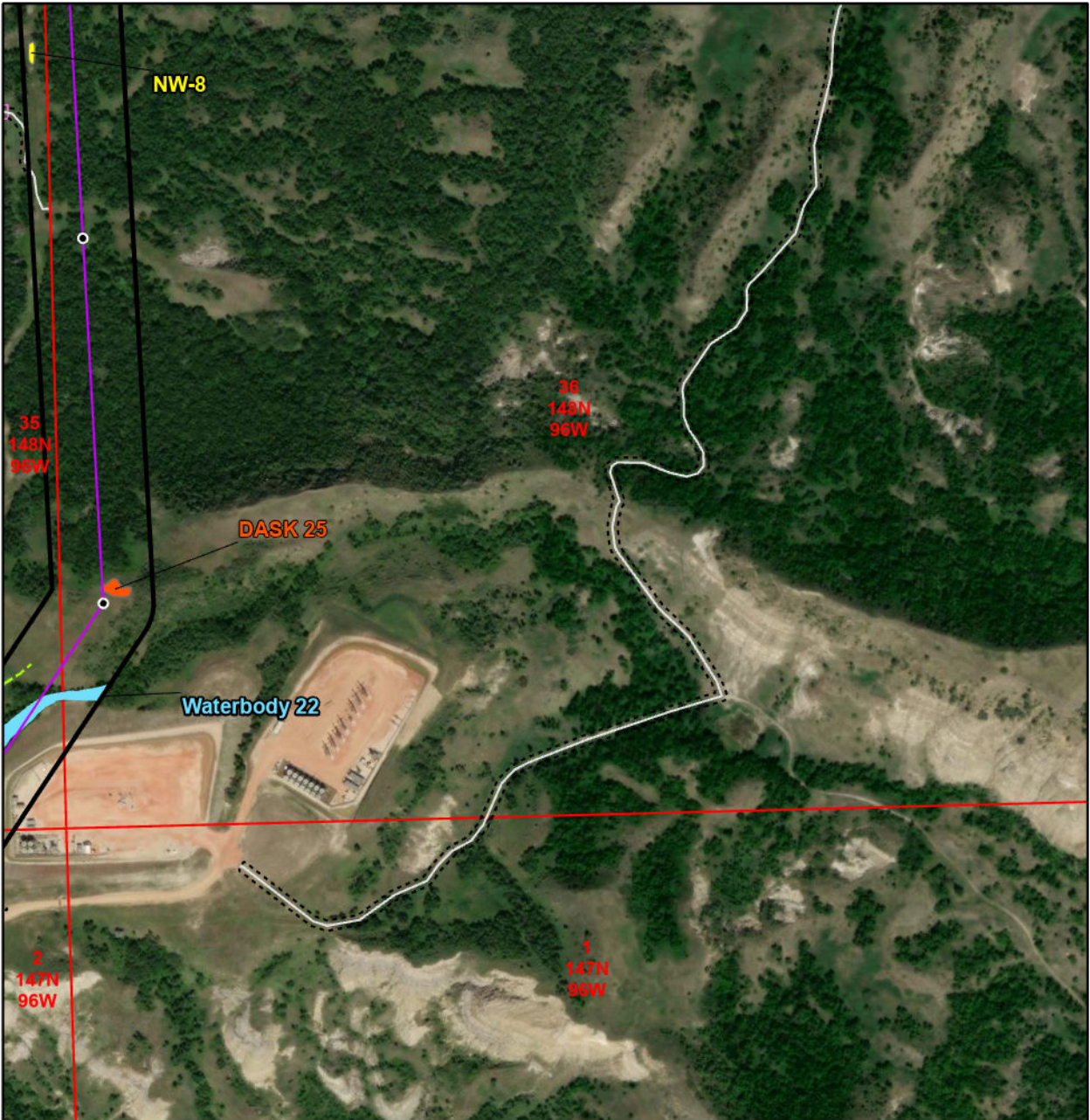
Wetland

- Active Bald Eagle Nest
- Structure



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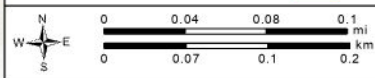


Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 25



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





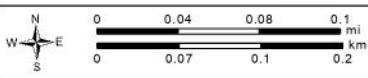
35
148N
96W

Waterbody 23

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



- Proposed Project
- Survey Corridor (300-ft)
- Waterbody
- Access Trail**
- Access Survey Corridor (30-ft)
- Wetland
- Previously disturbed
- Two-track
- Noxious Weeds
- DASK Habitat
- Undisturbed
- Tree Removal Area
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
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Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



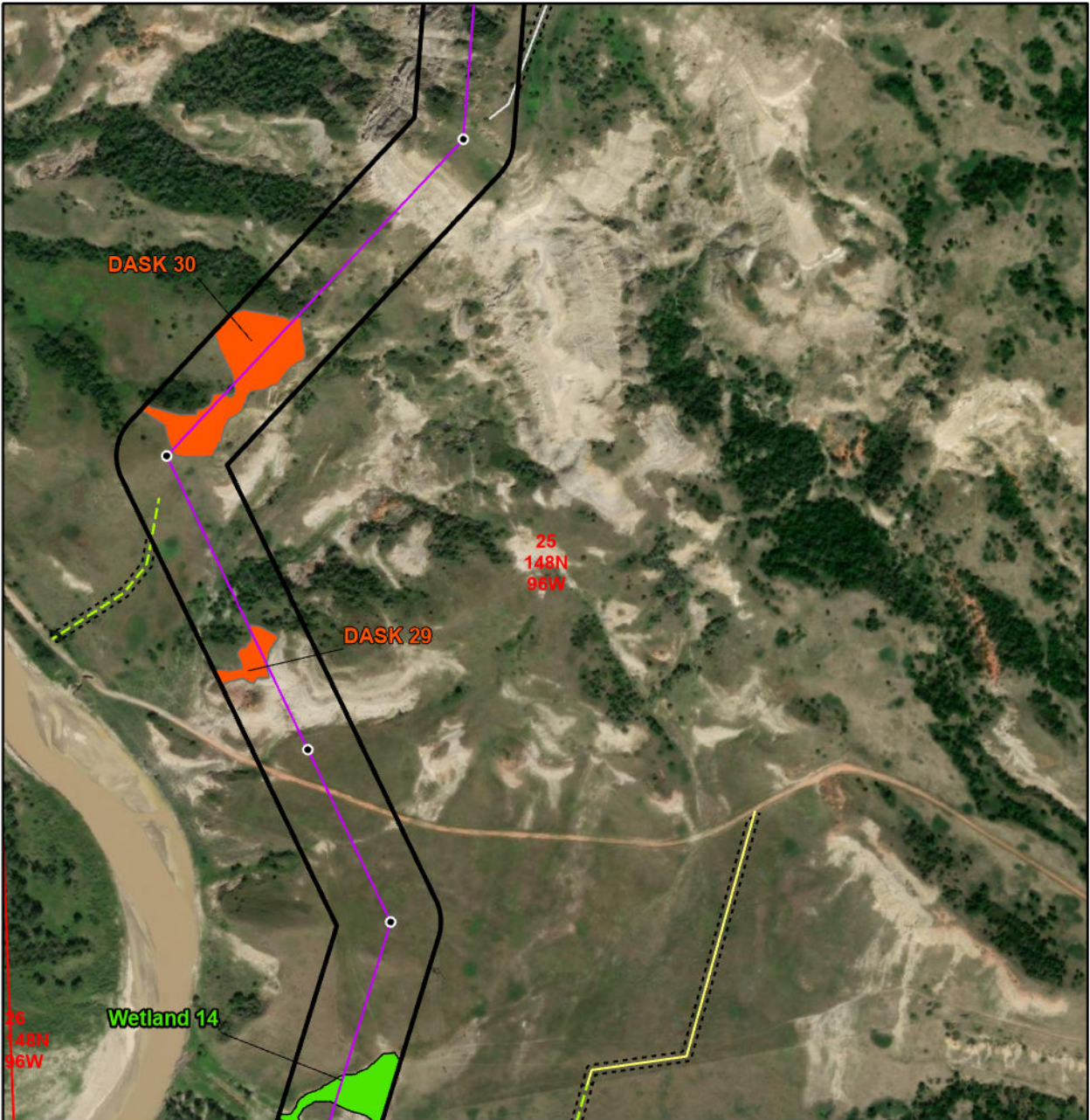
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N
S
E
W

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker

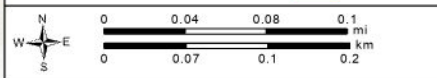




Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

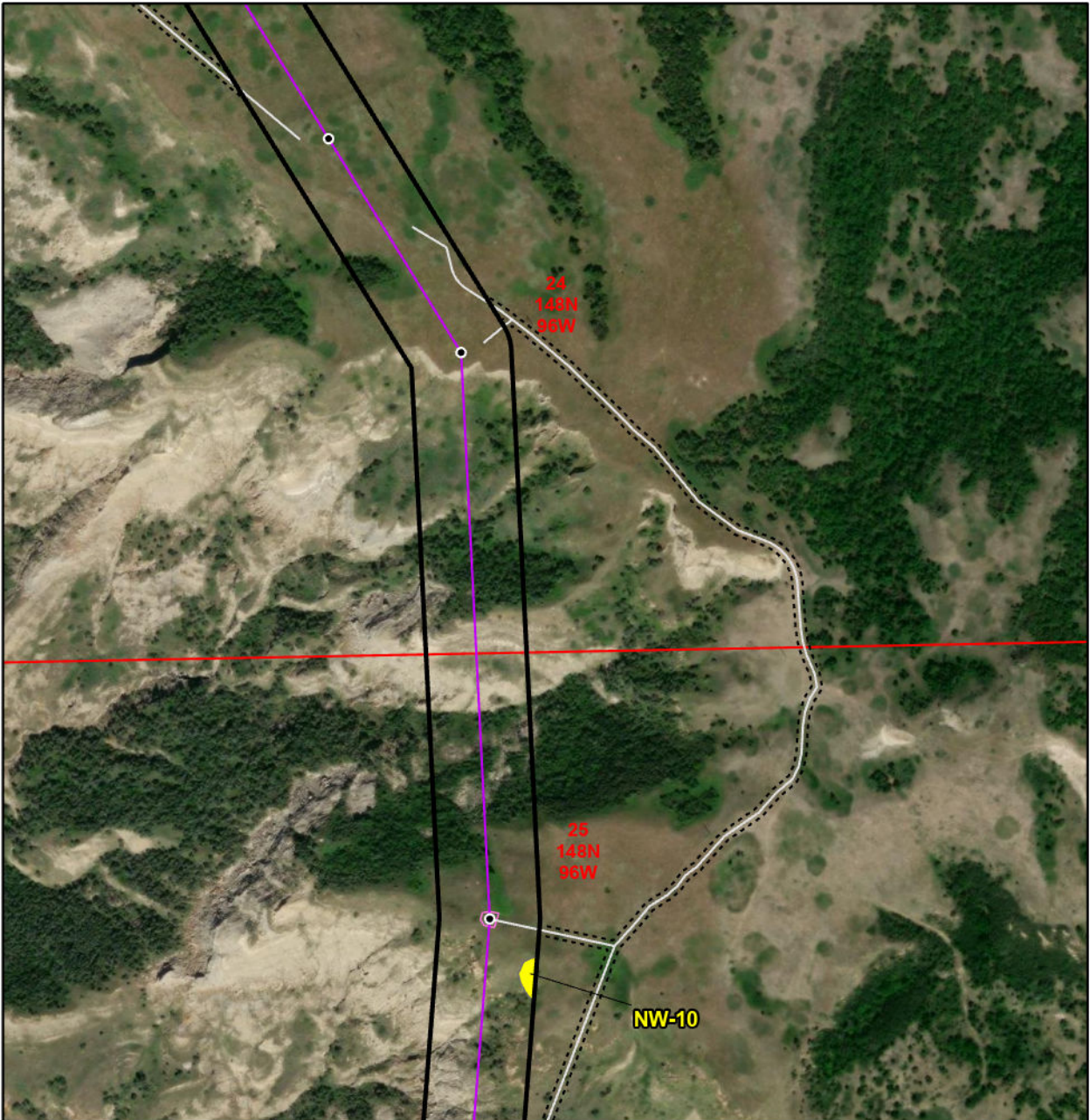


Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



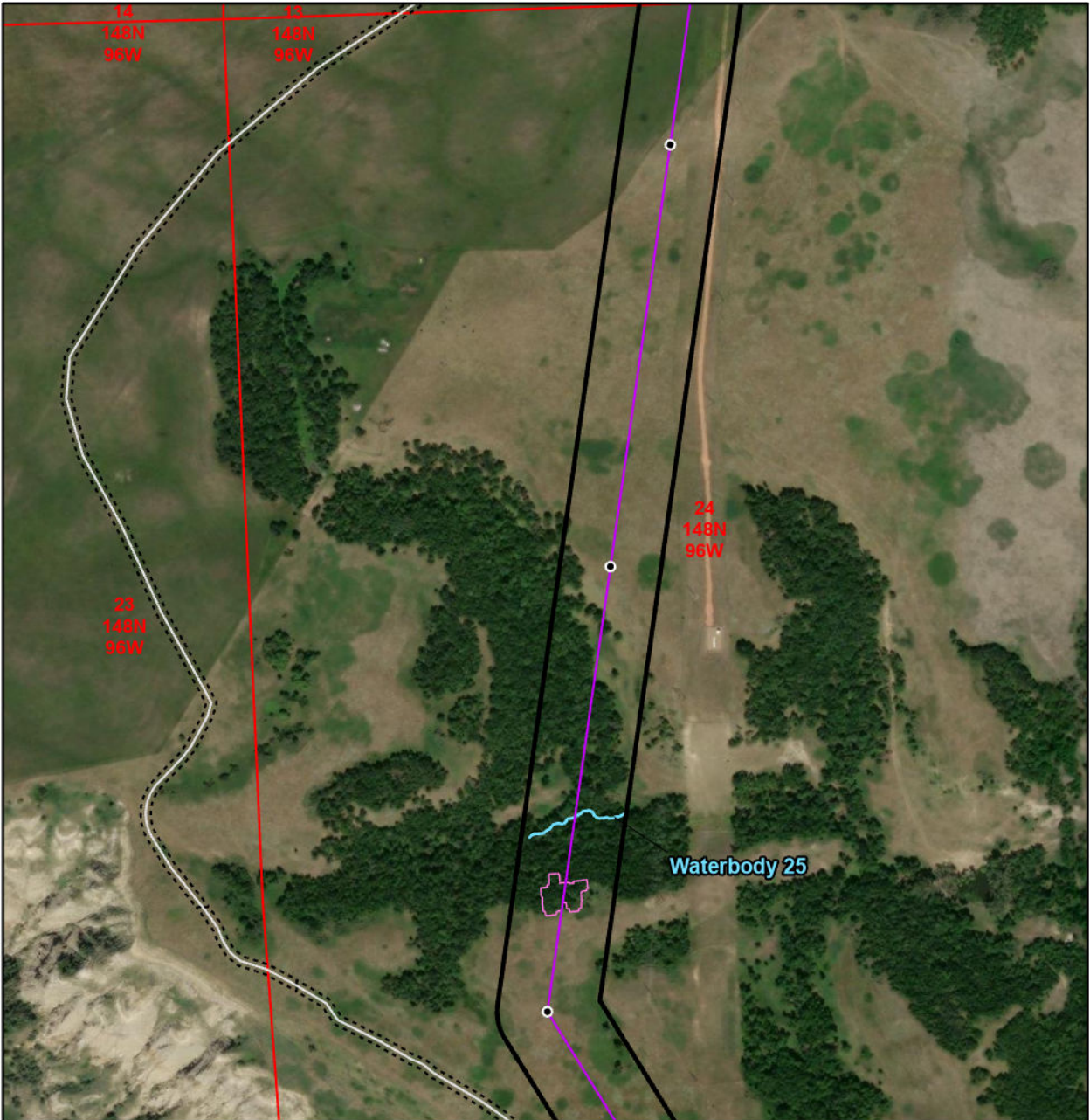
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N
W — E
S

0 0.04 0.08 0.1
0 0.07 0.1 0.2
mi
km

Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker



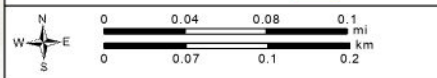


Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



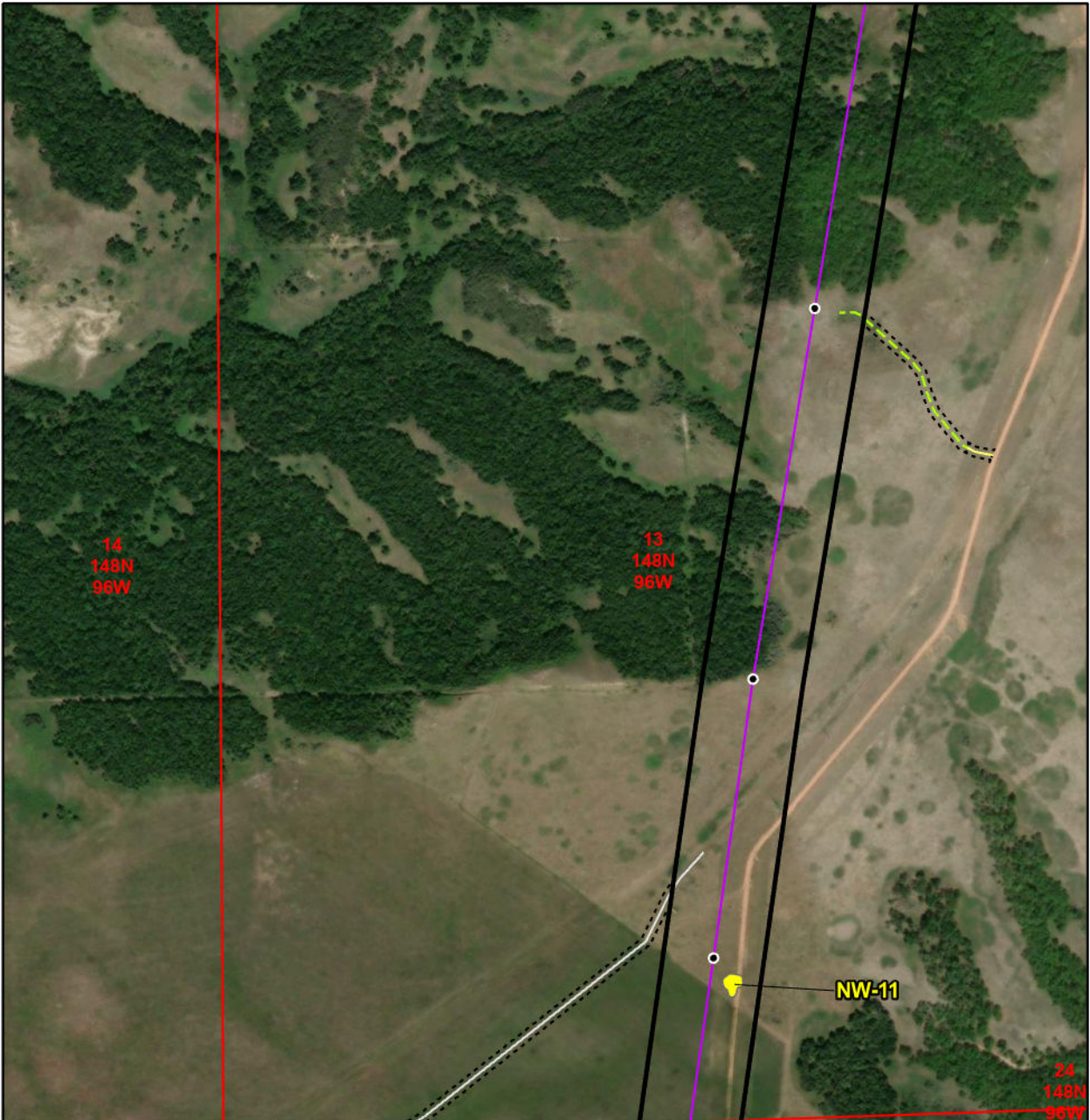
Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 30



Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker

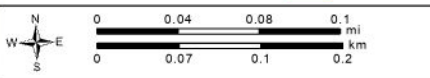




Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

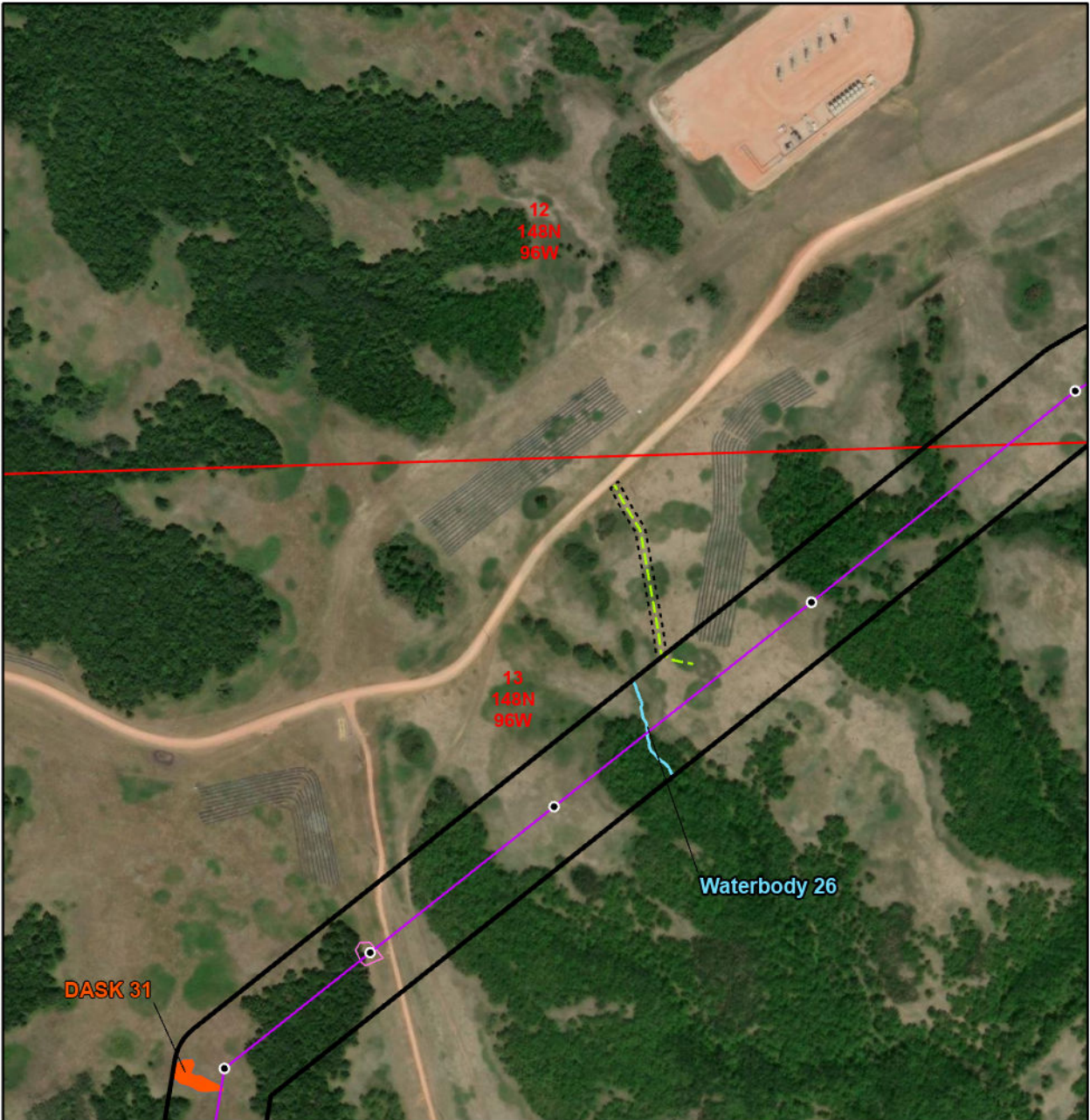


- Proposed Project
- Survey Corridor (300-ft)
- Waterbody
- Access Trail**
- Access Survey Corridor (30-ft)
- Noxious Weeds
- Wetland
- Two-track
- DASK Habitat
- Tree Removal Area
- Undisturbed
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker

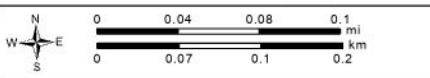


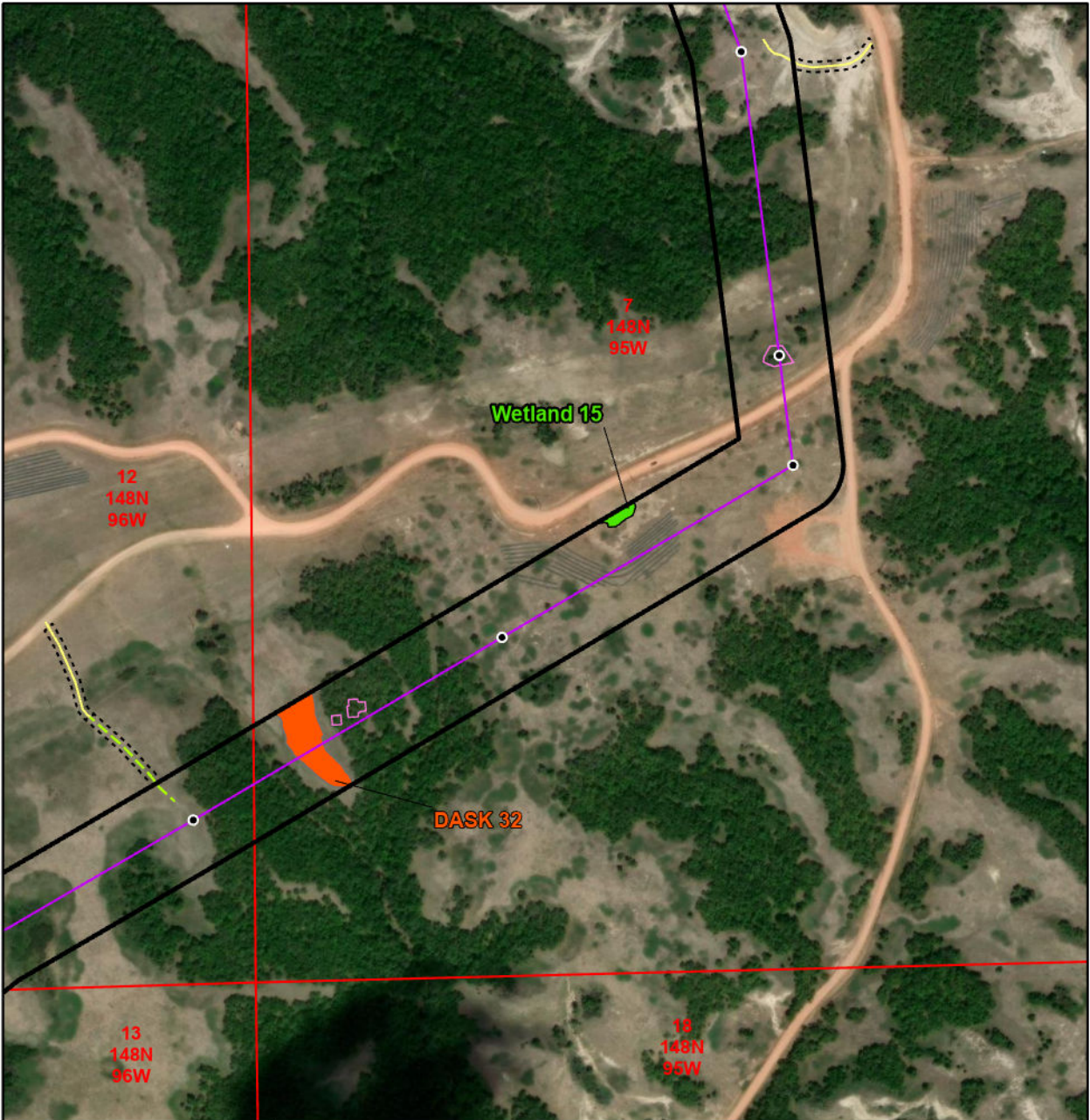


Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



- Proposed Project
- Survey Corridor (300-ft)
- Access Survey Corridor (30-ft)
- Waterbody
- Wetland
- Access Trail
- Previously disturbed
- Two-track
- Undisturbed
- Noxious Weeds
- DASK Habitat
- Tree Removal Area
- Active Bald Eagle Nest
- Structure

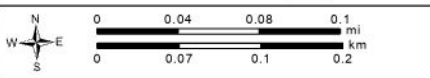




Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

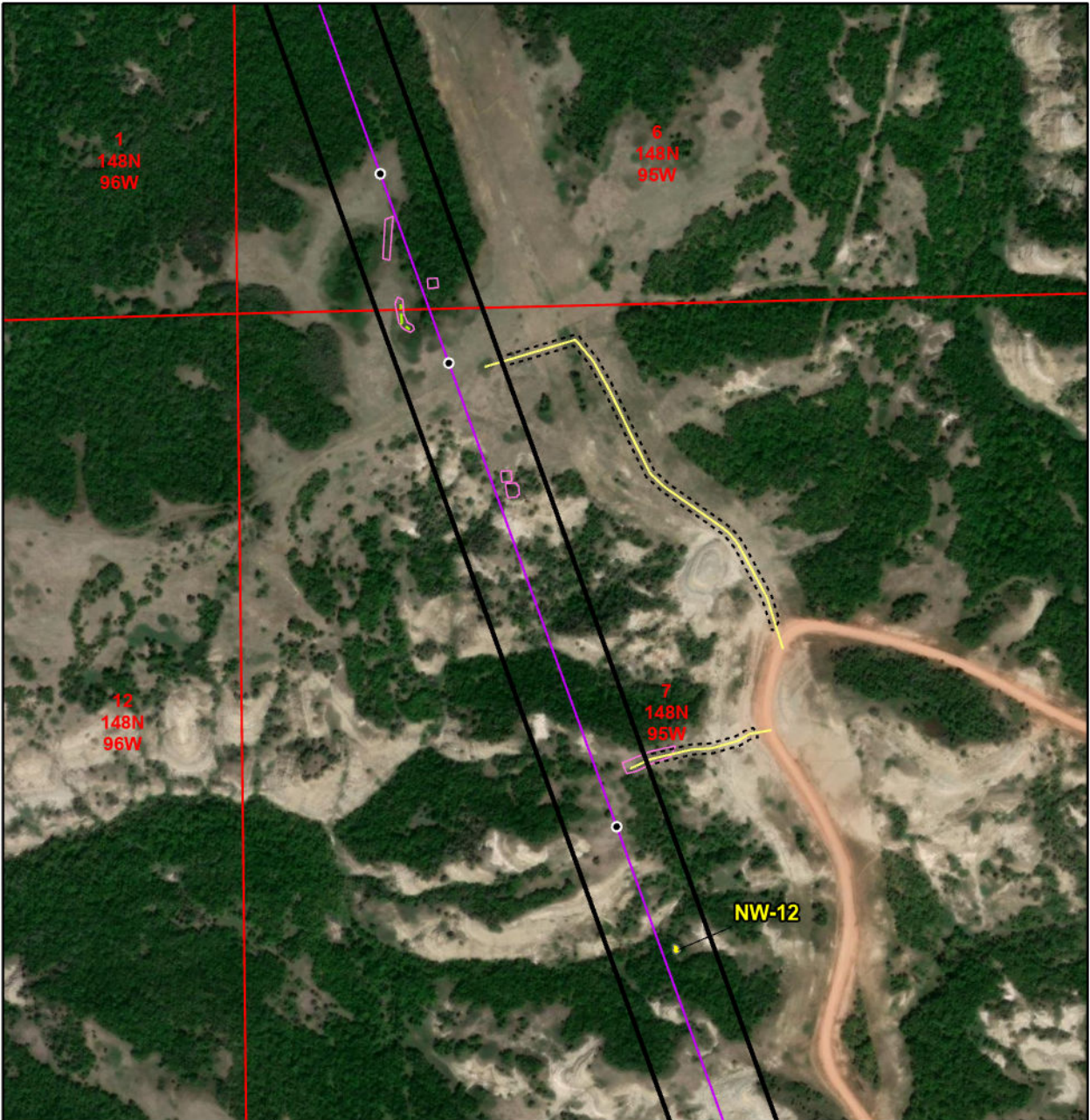


- | | | |
|----------------------|--------------------------------|------------------------|
| Proposed Project | Survey Corridor (300-ft) | Waterbody |
| Access Trail | Access Survey Corridor (30-ft) | Wetland |
| Previously disturbed | Noxious Weeds | Active Bald Eagle Nest |
| Two-track | DASK Habitat | Structure |
| Undisturbed | Tree Removal Area | |



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



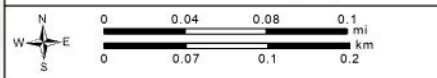


Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



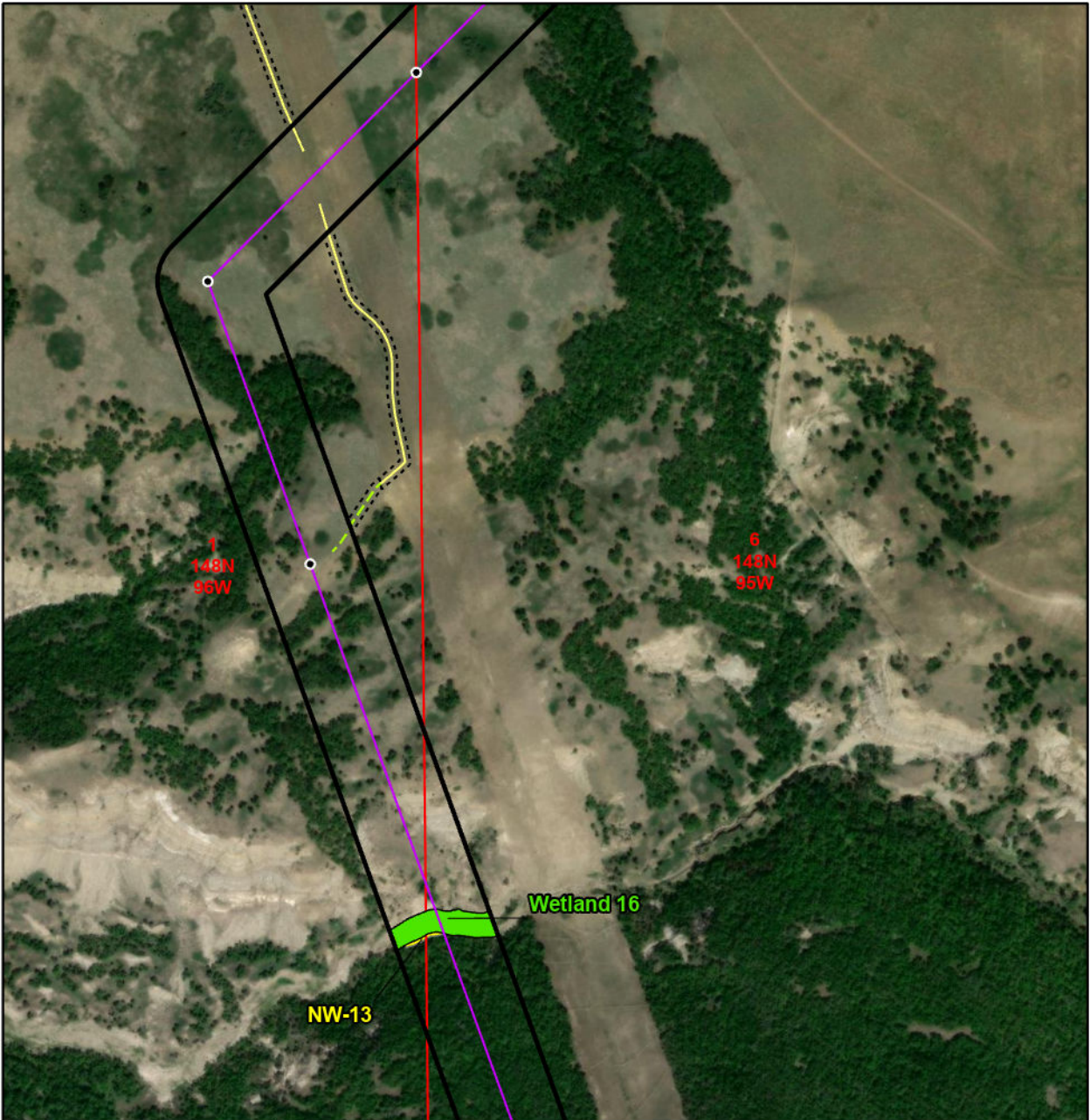
Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

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Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest • Structure
--	---	---

N
W — E
S

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





33
149N
95W

1
148N
96W

6
148N
95W

Wetland 17

Waterbody 27

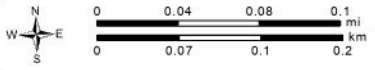
Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



- Proposed Project
- Access Trail**
- Previously disturbed
- Two-track
- Undisturbed

- Survey Corridor (300-ft)
- Access Survey Corridor (30-ft)
- Noxious Weeds
- DASK Habitat
- Tree Removal Area

- Waterbody
- Wetland
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

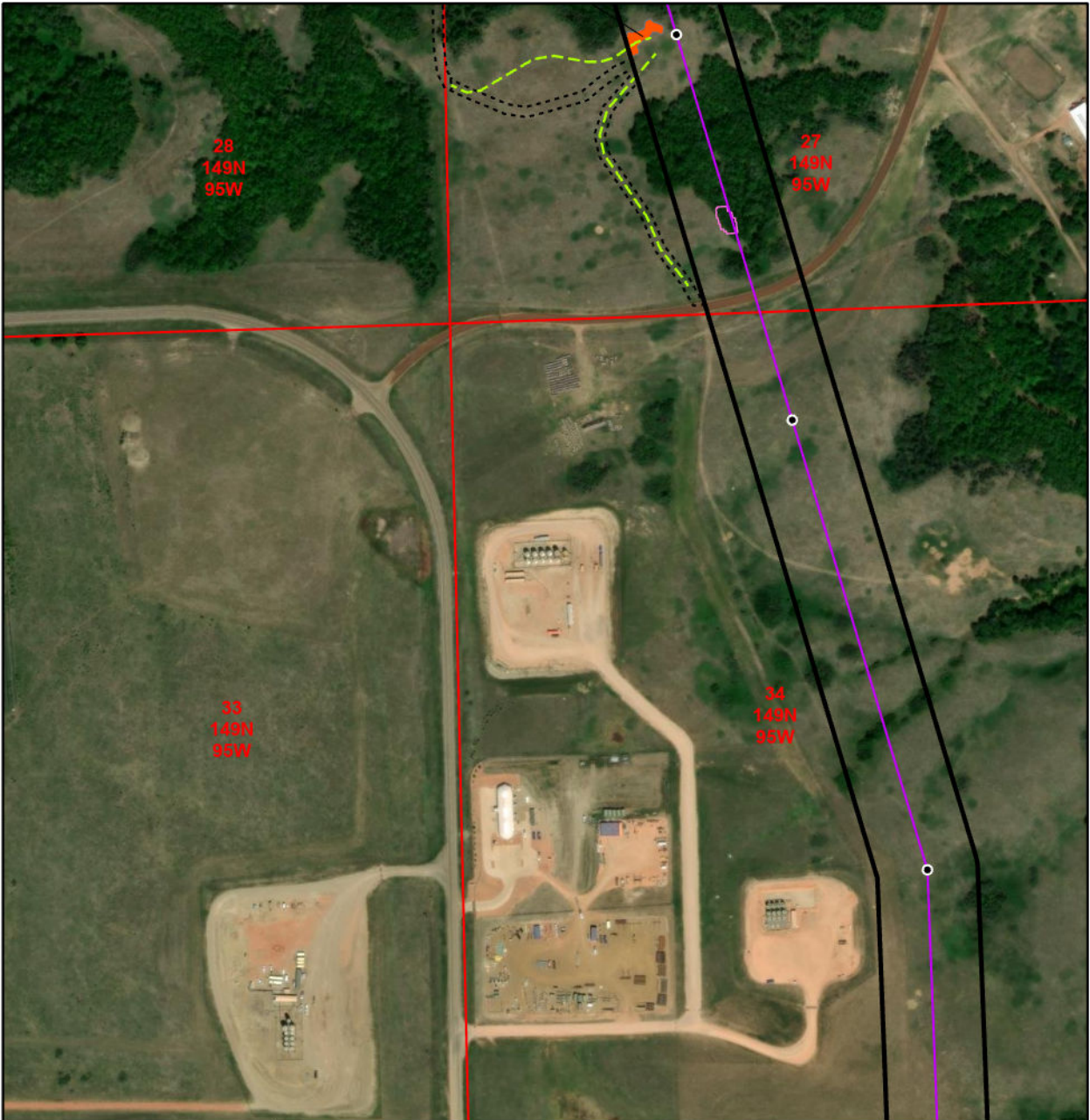


<p>Proposed Project</p> <p>Access Trail</p> <ul style="list-style-type: none"> — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest Structure
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Page Number: 37

	<p>0 0.04 0.08 0.1</p> <p>0 0.07 0.1 0.2</p> <p>mi km</p>	<p>Data Source: World Topo</p> <p>Coordinate System: NAD 1983 UTM Zone 13N</p> <p>Date: 11/24/2023 Author: C. Tucker</p>
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Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest • Structure
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0 0.04 0.08 0.1 mi
 0 0.07 0.1 0.2 km

Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest • Structure
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N
W — E
S

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



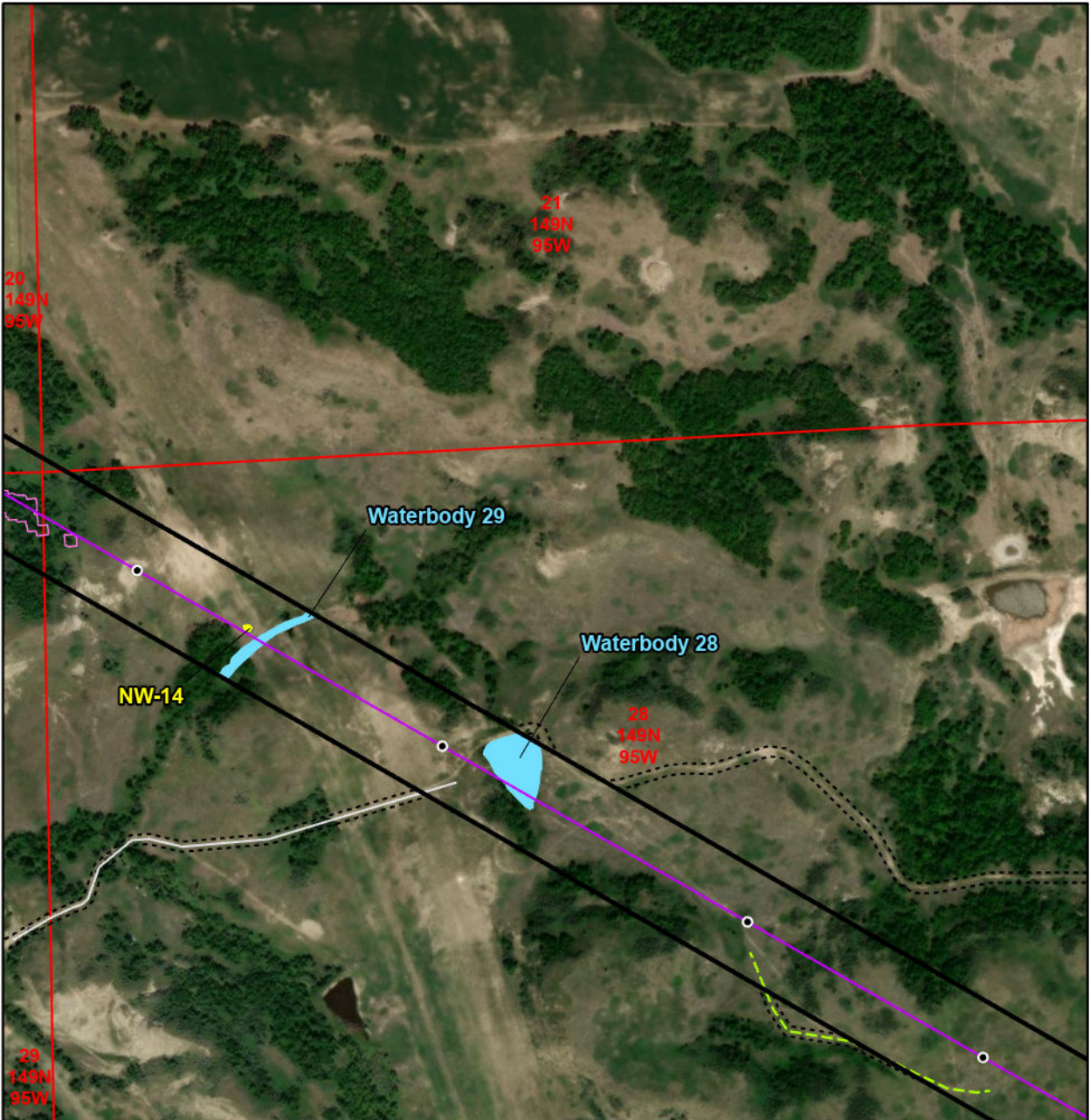
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--	---	--

N
W — E
S

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

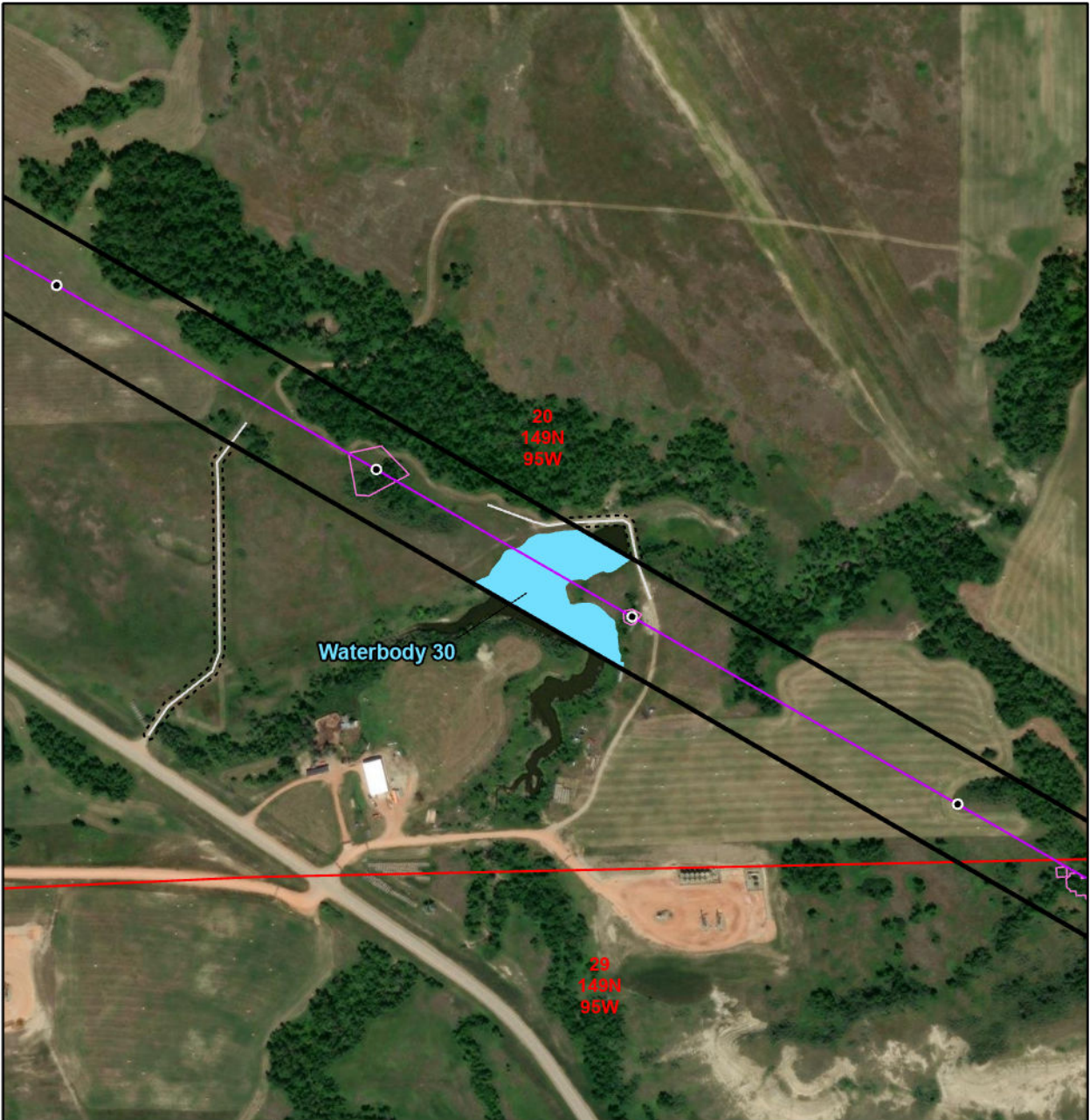


Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

0 0.04 0.08 0.1 mi
 0 0.07 0.1 0.2 km

Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest • Structure
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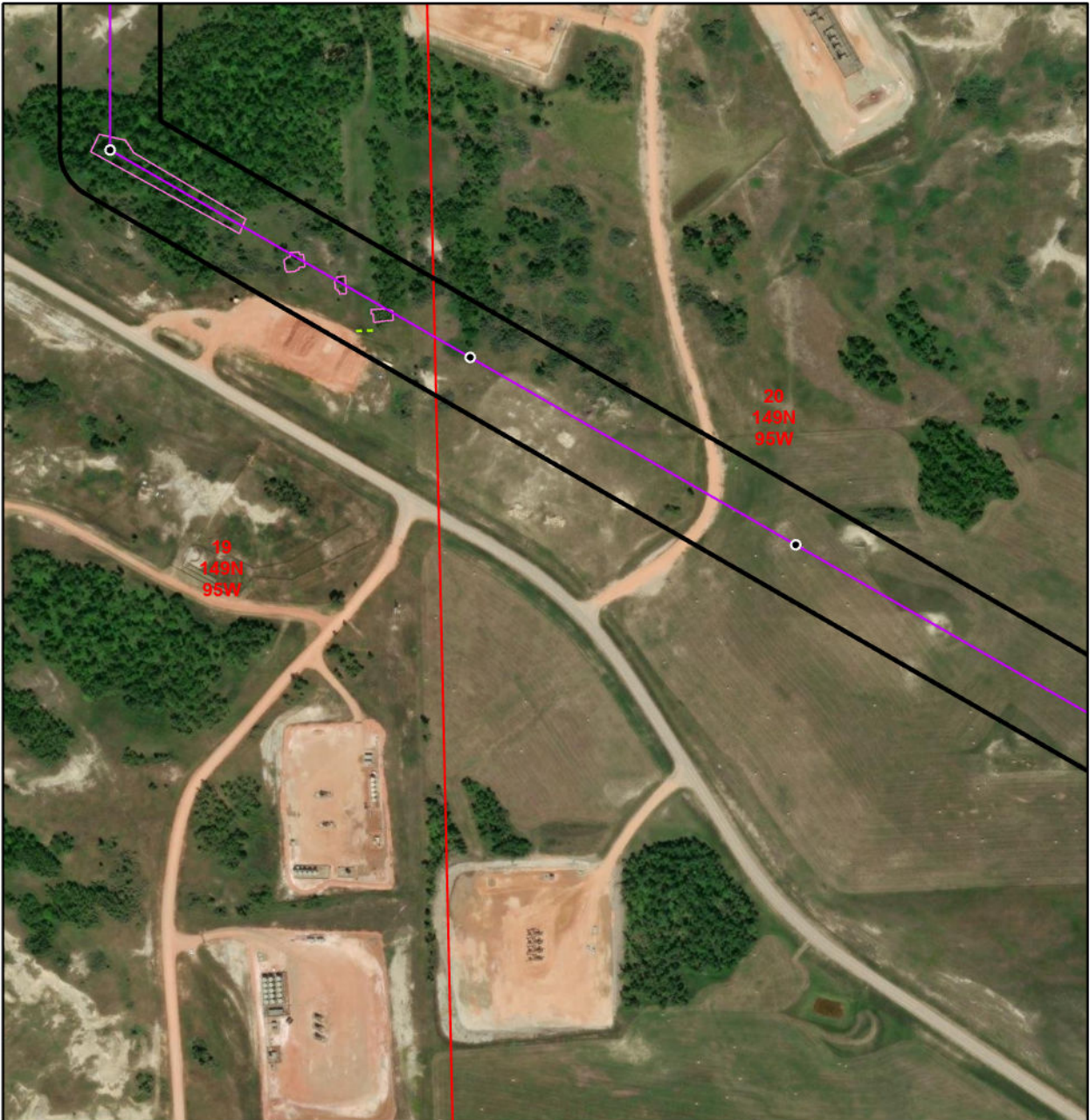
N
W — E
S

0 0.04 0.08 0.1 mi

0 0.07 0.1 0.2 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



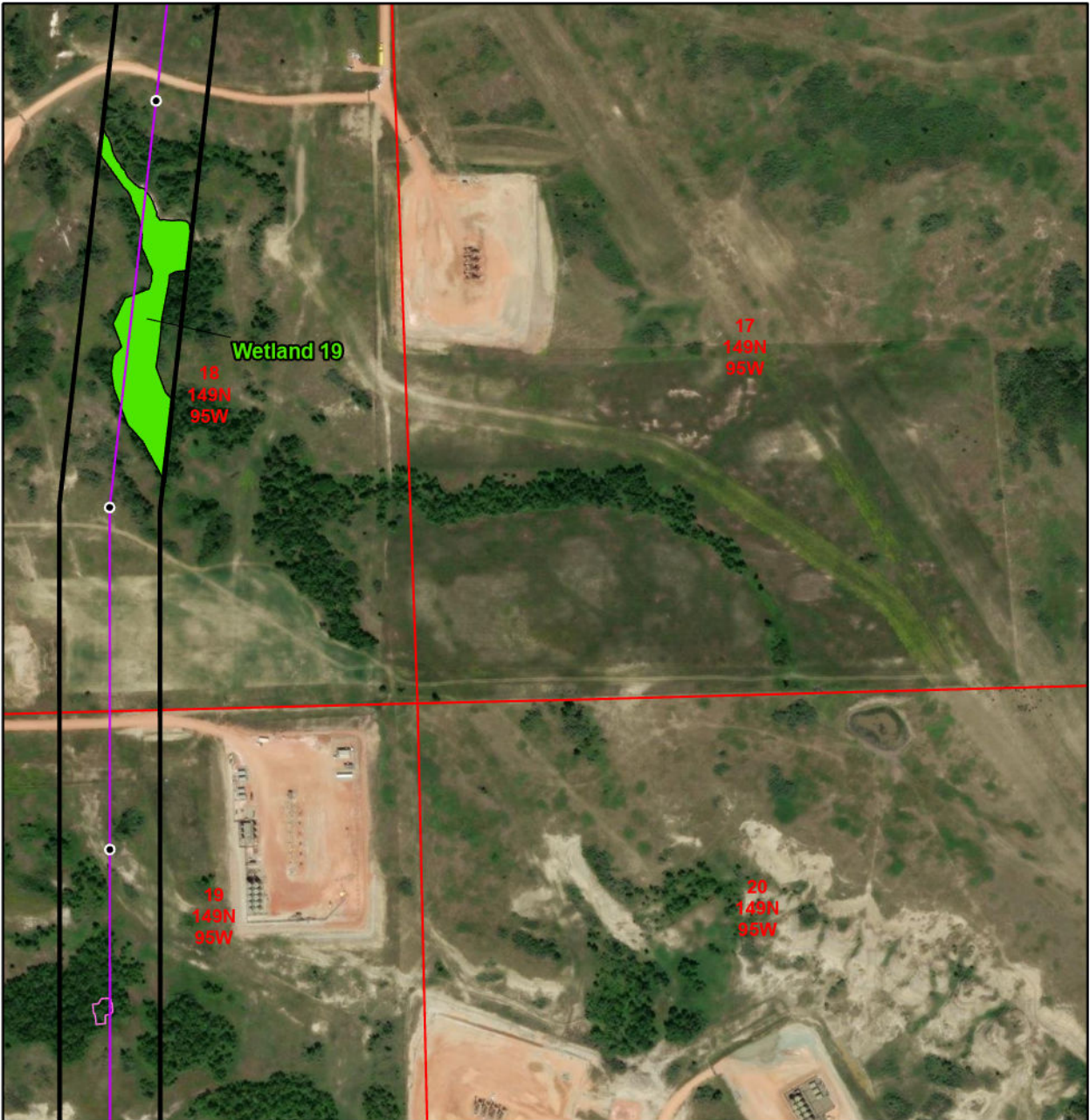
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---	--

N
S
E
W

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Wetland 19

18
149N
95W

17
149N
95W

18
149N
95W

20
149N
95W

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



Proposed Project

Access Trail

- Previously disturbed
- Two-track
- Undisturbed

Survey Corridor (300-ft)

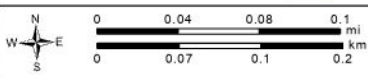
Access Survey Corridor (30-ft)

- Noxious Weeds
- DASK Habitat
- Tree Removal Area

Waterbody

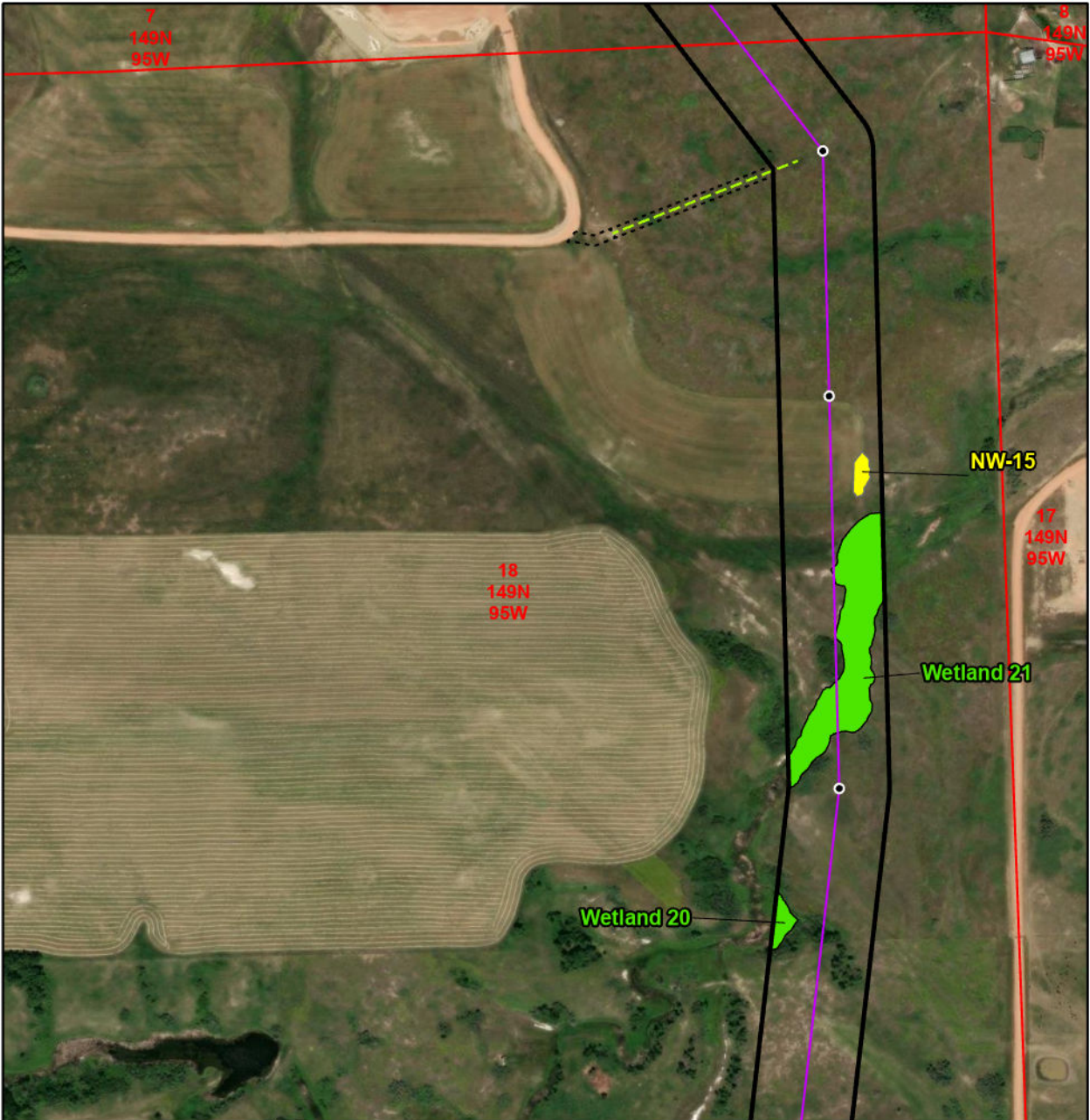
Wetland

- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



<ul style="list-style-type: none"> — Proposed Project Access Trail — Previously disturbed — Two-track - - - Undisturbed 	<ul style="list-style-type: none"> Survey Corridor (300-ft) Access Survey Corridor (30-ft) Noxious Weeds DASK Habitat Tree Removal Area 	<ul style="list-style-type: none"> Waterbody Wetland Active Bald Eagle Nest • Structure
---	---	---

N
W — E
S

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





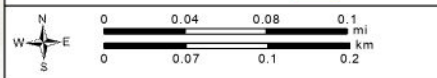
Wetland 22

148N
95W

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

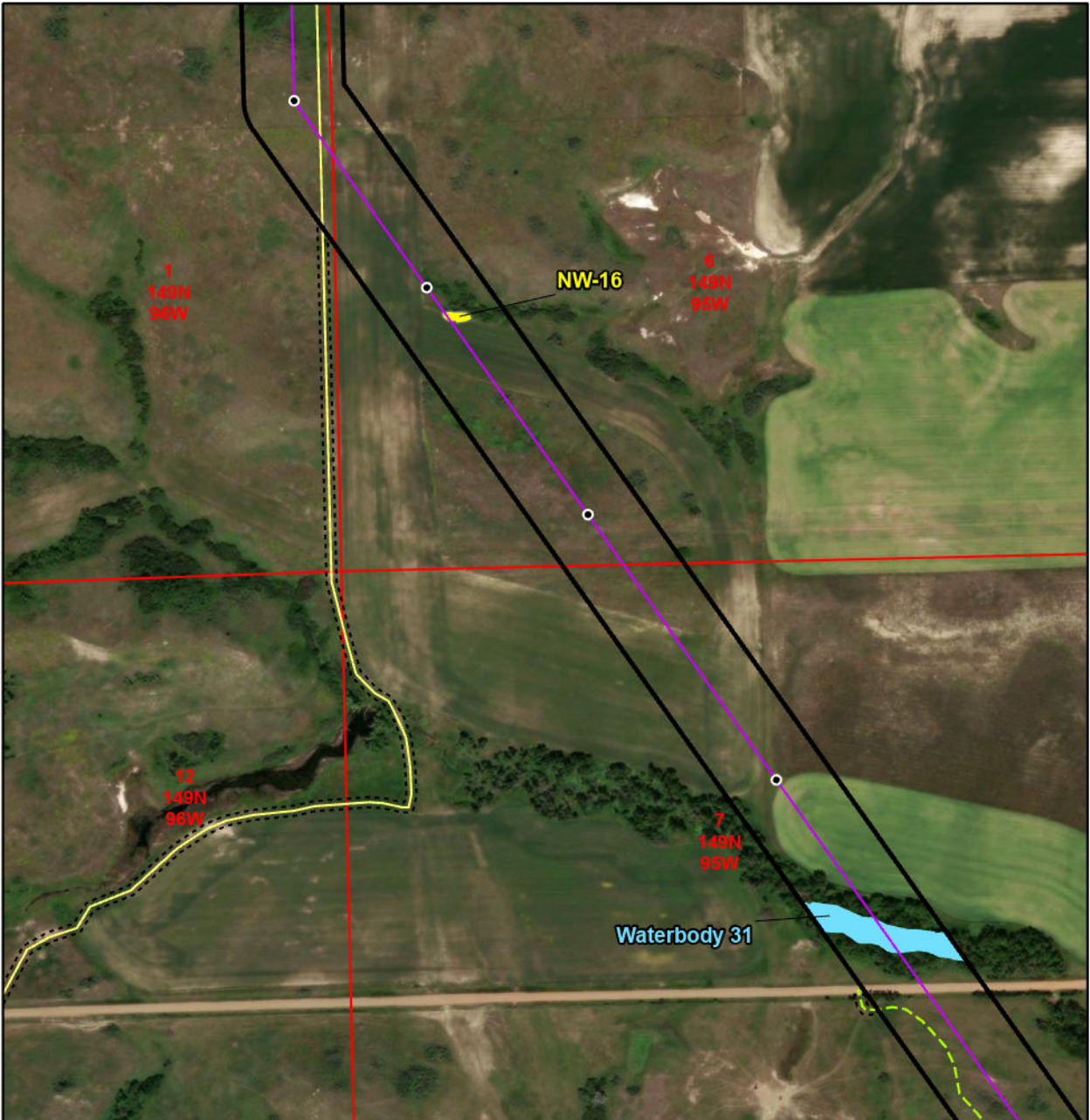


- | | | |
|----------------------|--------------------------------|------------------------|
| Proposed Project | Survey Corridor (300-ft) | Waterbody |
| Access Trail | Access Survey Corridor (30-ft) | Wetland |
| Previously disturbed | Noxious Weeds | Active Bald Eagle Nest |
| Two-track | DASK Habitat | Structure |
| Undisturbed | Tree Removal Area | |



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



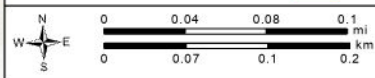


Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



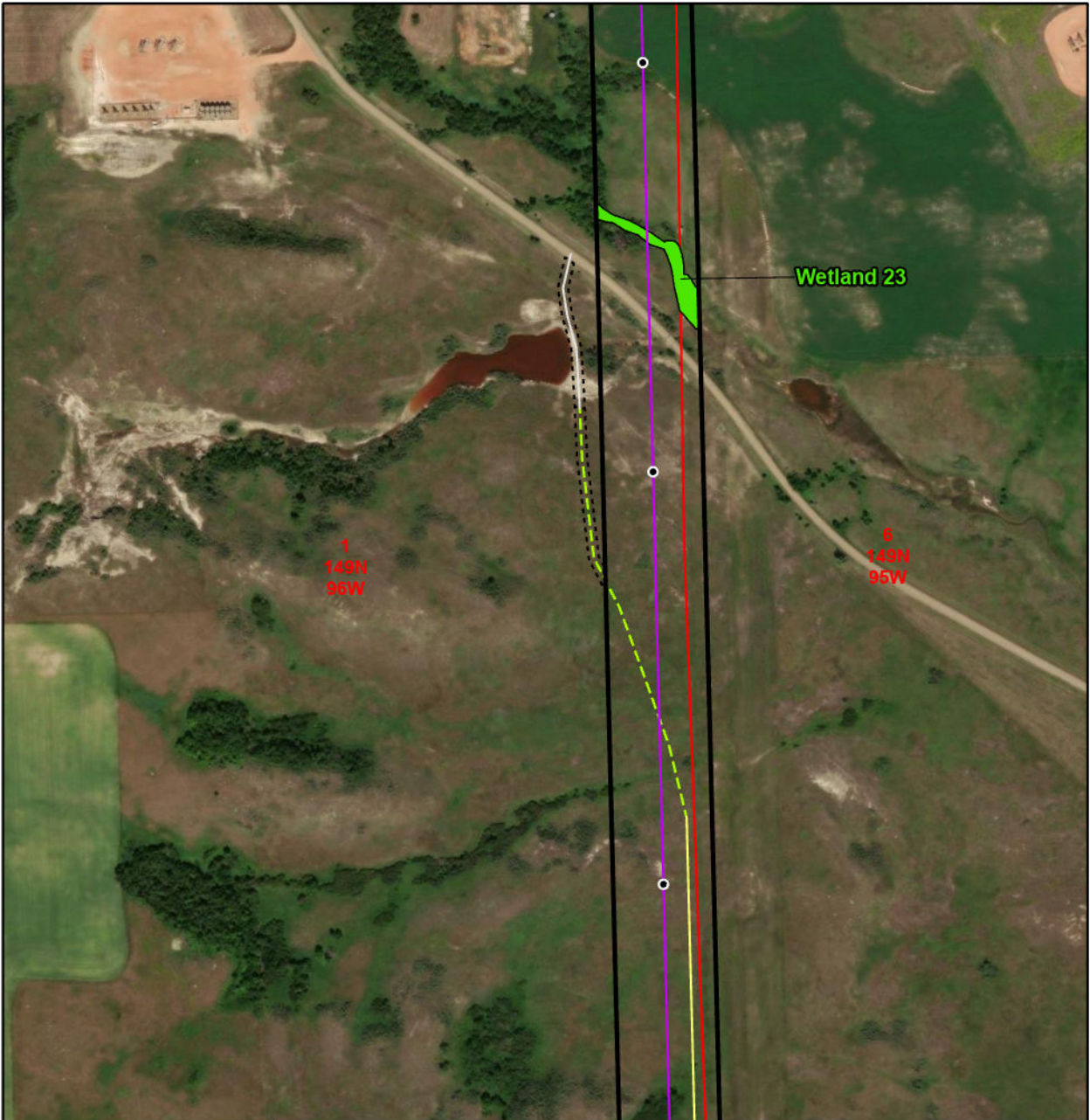
Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 47



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Wetland 23

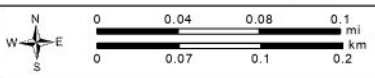
1
T143N
R96W

6
T143N
R95W

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

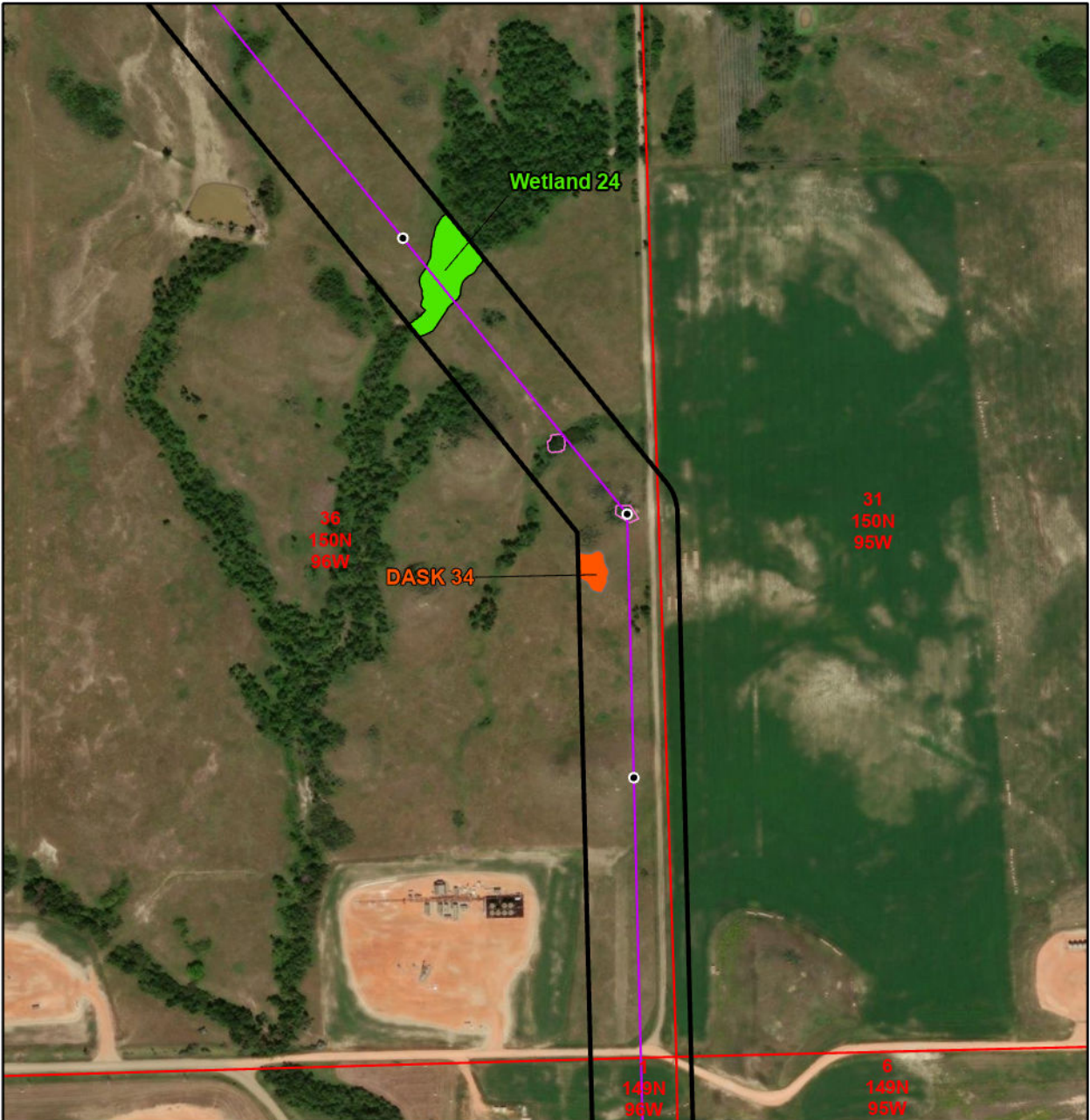


- Proposed Project
- Survey Corridor (300-ft)
- Access Survey Corridor (30-ft)
- Waterbody
- Noxious Weeds
- Wetland
- DASK Habitat
- Tree Removal Area
- Previously disturbed
- Two-track
- Undisturbed
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Wetland 24

36
130N
90W

DASK 34

31
150N
95W

149N
98W

6
143N
95W

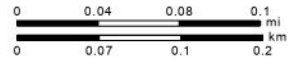
Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



- Proposed Project
- Access Trail
- Previously disturbed
- Two-track
- Undisturbed

- Survey Corridor (300-ft)
- Access Survey Corridor (30-ft)
- Noxious Weeds
- DASK Habitat
- Tree Removal Area

- Waterbody
- Wetland
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





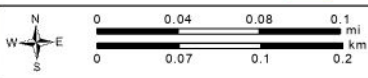
25
180N
96W

36
180N
96W

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



- Proposed Project
- Survey Corridor (300-ft)
- Access Survey Corridor (30-ft)
- Waterbody
- Wetland
- Noxious Weeds
- DASK Habitat
- Tree Removal Area
- Previously disturbed
- Two-track
- Undisturbed
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Waterbody 32

26
150N
96W

25
158N
96W

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



Proposed Project

Access Trail

- Previously disturbed
- Two-track
- Undisturbed

Survey Corridor (300-ft)

Access Survey Corridor (30-ft)

- Noxious Weeds
- DASK Habitat
- Tree Removal Area

Waterbody

Wetland

- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker



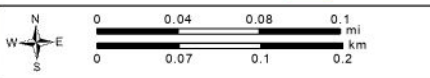


26
150N
96W

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties

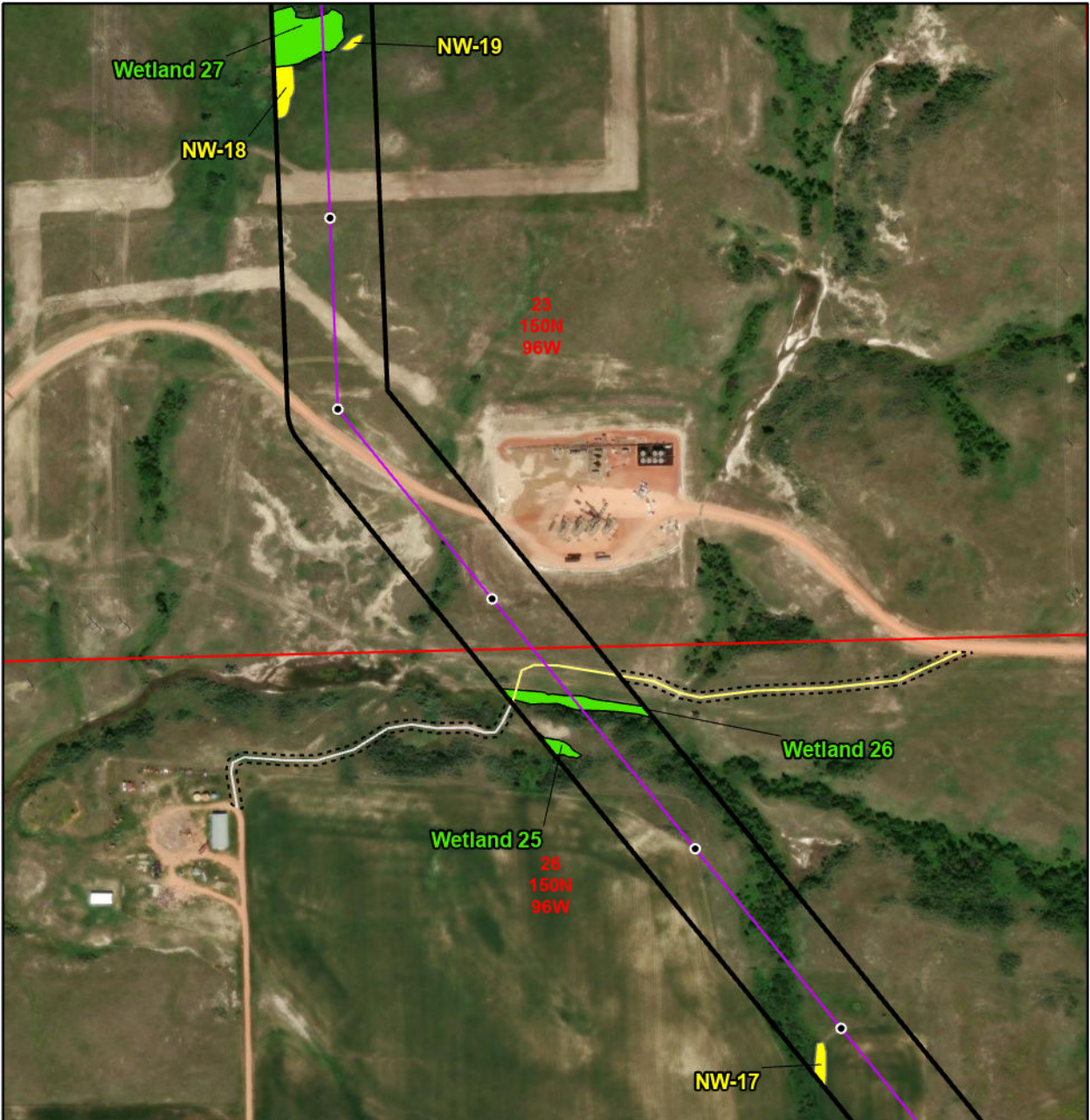


- Proposed Project
- Survey Corridor (300-ft)
- Waterbody
- Access Trail**
- Access Survey Corridor (30-ft)
- Wetland
- Noxious Weeds
- Two-track
- DASK Habitat
- Undisturbed
- Tree Removal Area
- Active Bald Eagle Nest
- Structure



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker

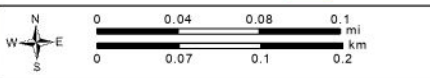




Roundup to Kummer Ridge 345-kV Transmission Project
 Dunn and McKenzie Counties



- Proposed Project
- Survey Corridor (300-ft)
- Access Survey Corridor (30-ft)
- Previously disturbed
- Two-track
- Undisturbed
- Noxious Weeds
- DASK Habitat
- Tree Removal Area
- Waterbody
- Wetland
- Active Bald Eagle Nest
- Structure

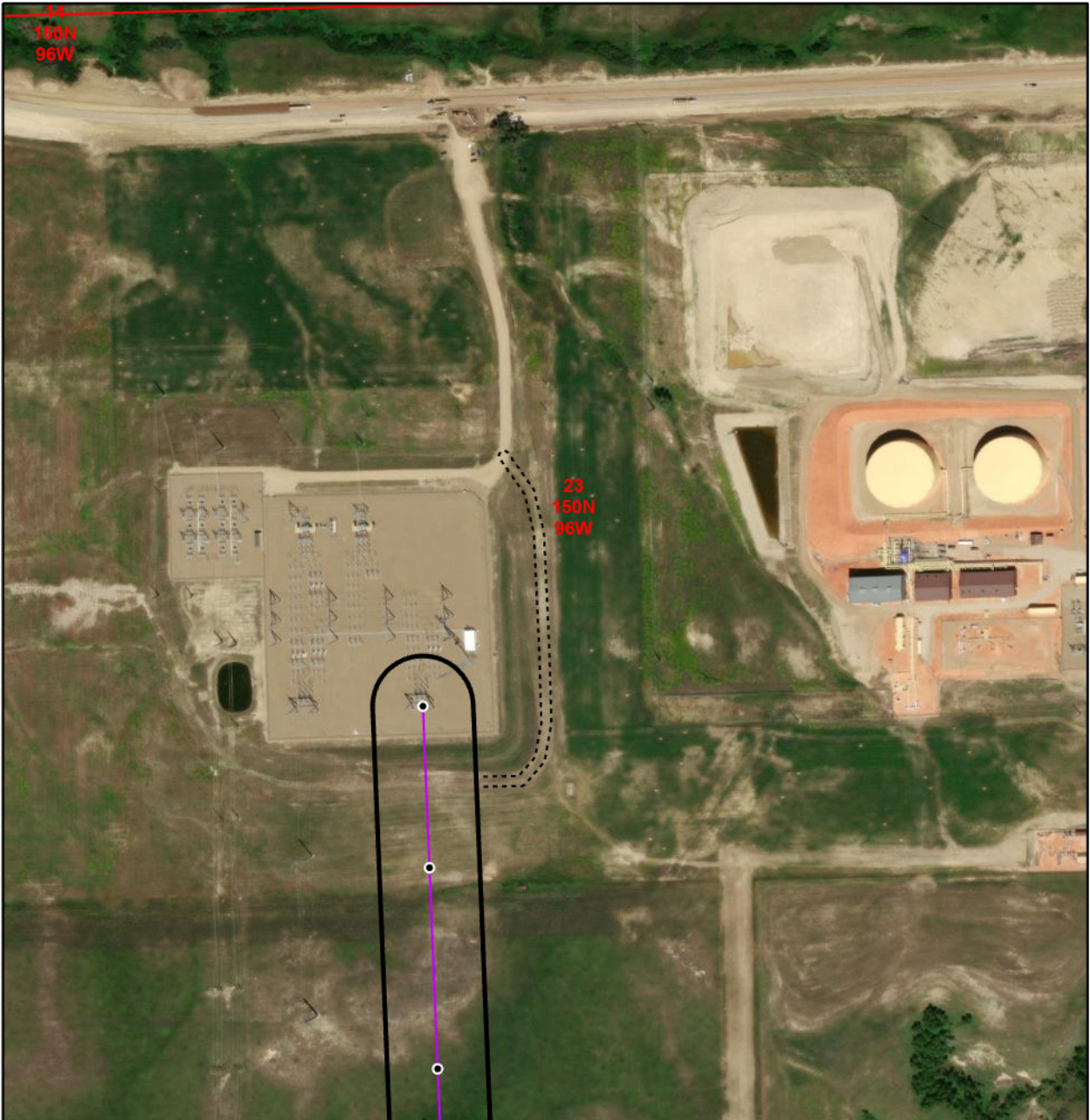


Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 11/24/2023 Author: C. Tucker



14
150N
96W

23
150N
96W



Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



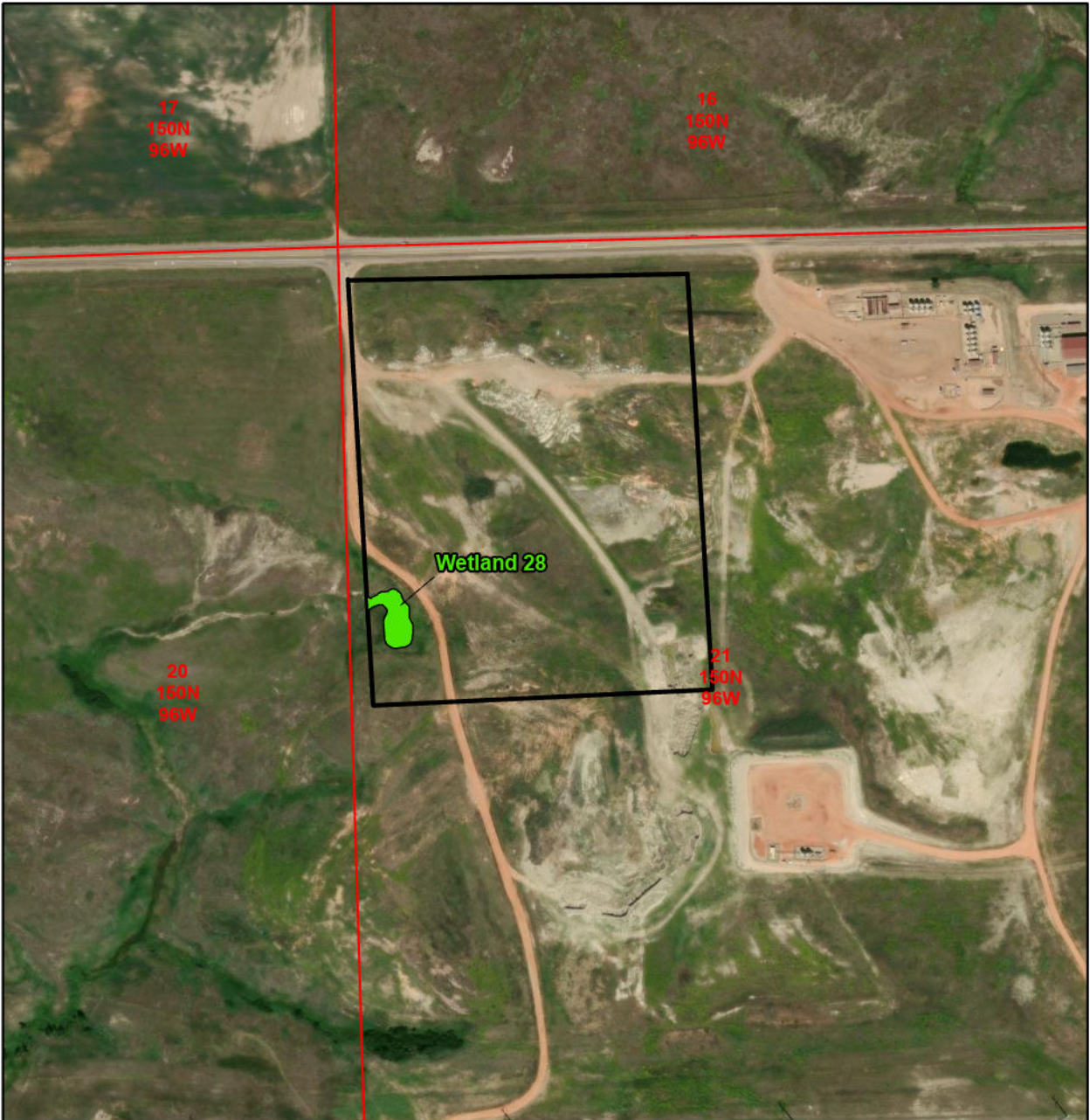
Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 54

0 0.04 0.08 0.1
0 0.07 0.1 0.2
mi
km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

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N
W — S — E

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker





18
146N
95W

19
146N
95W

Roundup to Kummer Ridge 345-kV Transmission Project
Dunn and McKenzie Counties



Proposed Project	Survey Corridor (300-ft)	Waterbody
Access Trail	Access Survey Corridor (30-ft)	Wetland
Previously disturbed	Noxious Weeds	Active Bald Eagle Nest
Two-track	DASK Habitat	Structure
Undisturbed	Tree Removal Area	

Page Number: 56

0 0.04 0.08 0.1 mi
0 0.07 0.1 0.2 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 11/24/2023 Author: C. Tucker

Appendix B. Project Field Photographs



Appendix C1. View looking southwest across Waterbody 9 located in the NE1/4 of Sec. 7, T146N, R95W. This is a man-made PABFh classified wetland.



Appendix C2. View looking east at Wetland 10, a PEMC classified wetland drainage located in Sec. 13, T147N, R96W. The drainage is affected by a man-made dam downstream.



Appendix C3. View of potential Dakota skipper habitat (DASK 33), located in Sec. 7, T148N, R95W.



Appendix C4. View of Wetland 21 located in Sec. 18, T149N, R95W. This is a PEMC classified wetland drainage.



Appendix C5. View of potential Dakota skipper habitat (DASK 3) located in Section 11 and 12, T147N, R96W.



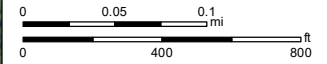
Appendix C6. View of Wetland 16, a PEMC classified wetland drainage located in Section 6, T148N, R95W.

Appendix C. Northern Long-eared Bat Habitat Analysis

Roundup to Kummer Ridge Transmission Line

Potential NLEB Habitat

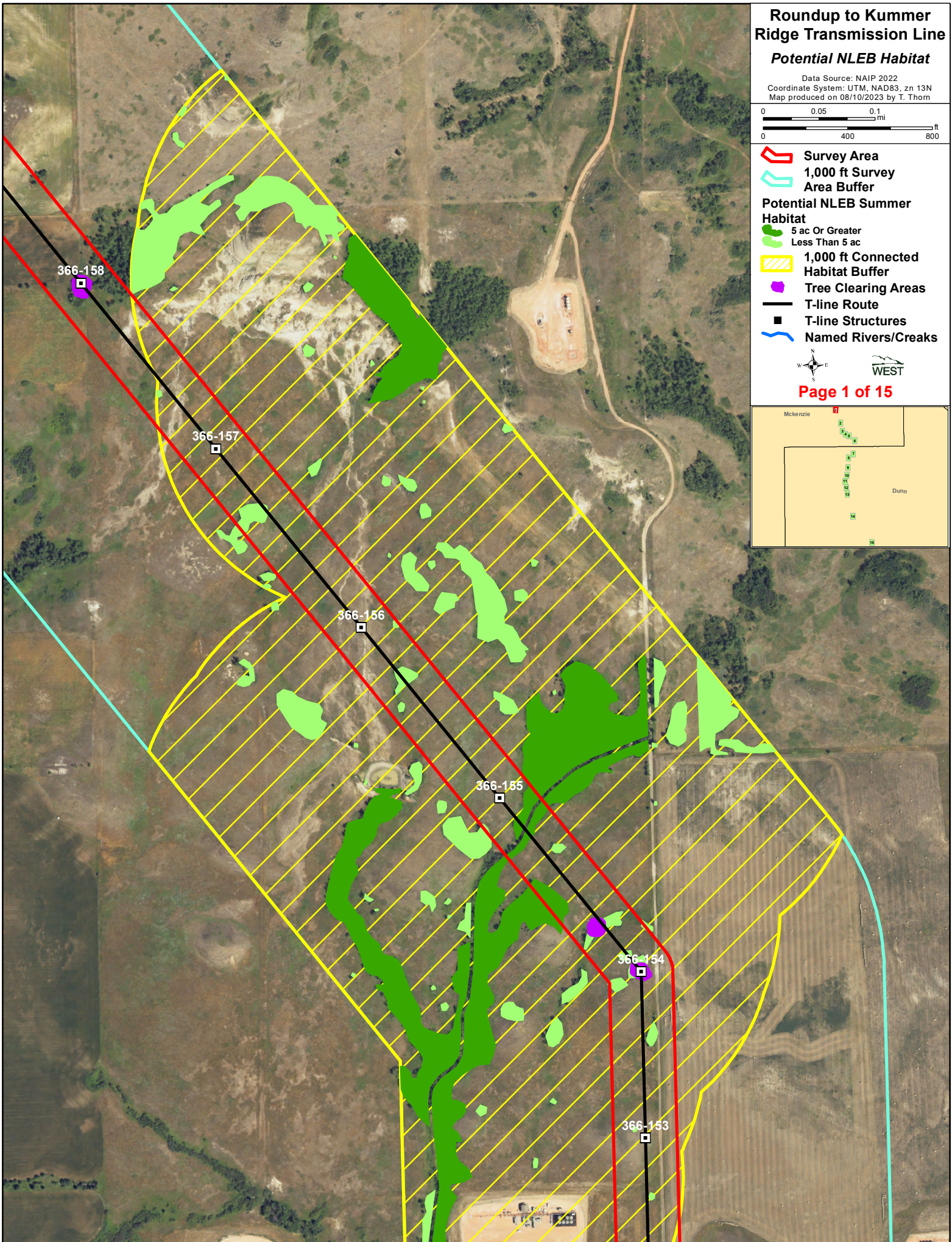
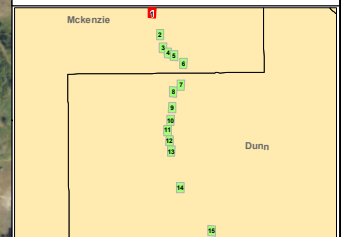
Data Source: NAIP 2022
Coordinate System: UTM, NAD83, zn 13N
Map produced on 08/10/2023 by T. Thorn



- Survey Area
- 1,000 ft Survey Area Buffer
- Potential NLEB Summer Habitat**
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 - Less Than 5 ac
- 1,000 ft Connected Habitat Buffer
- Tree Clearing Areas
- T-line Route
- T-line Structures
- Named Rivers/Creeks



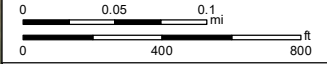
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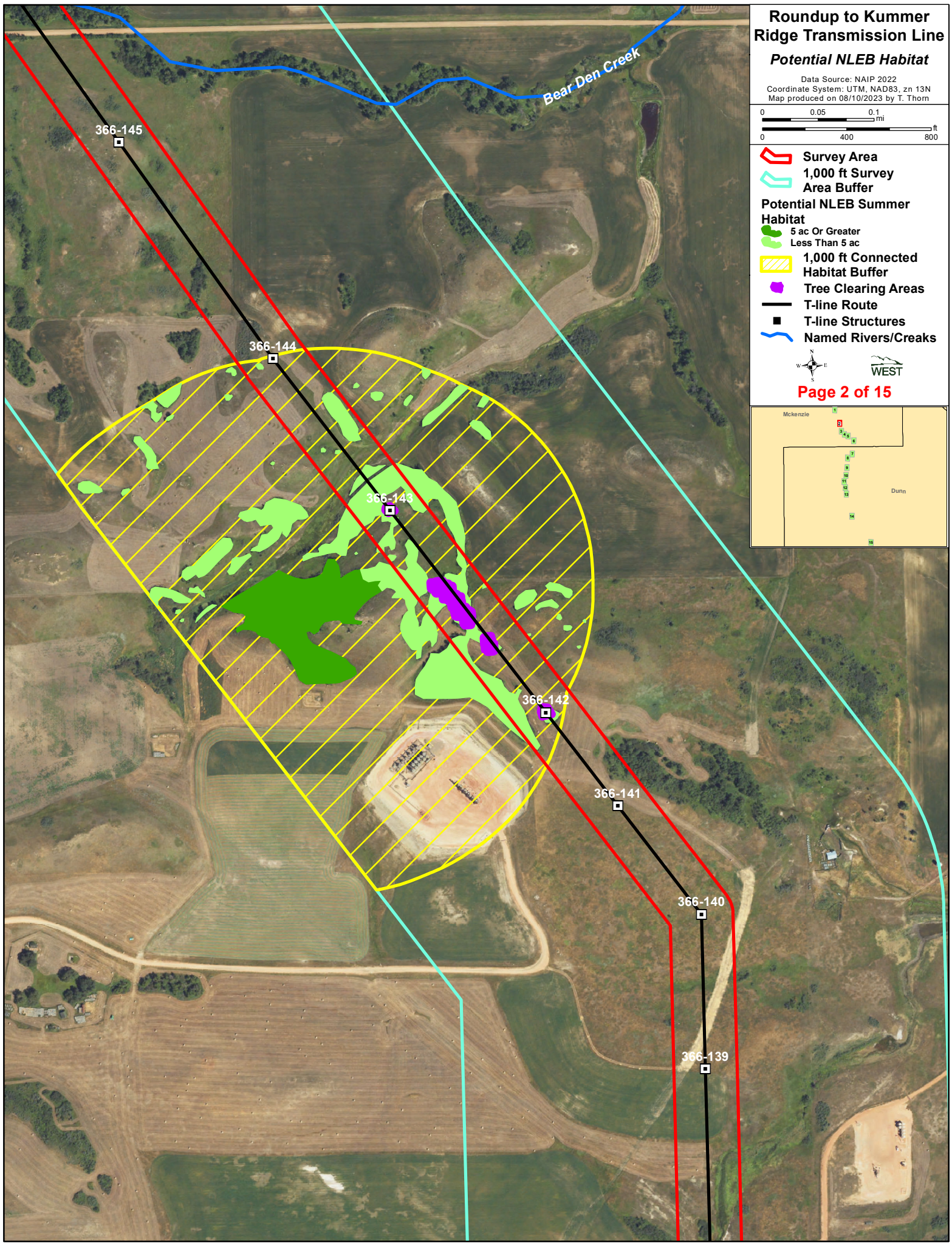
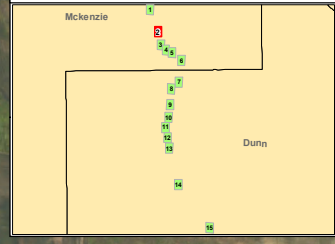
Roundup to Kummer Ridge Transmission Line

Potential NLEB Habitat

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Map produced on 08/10/2023 by T. Thorn



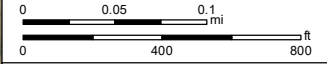
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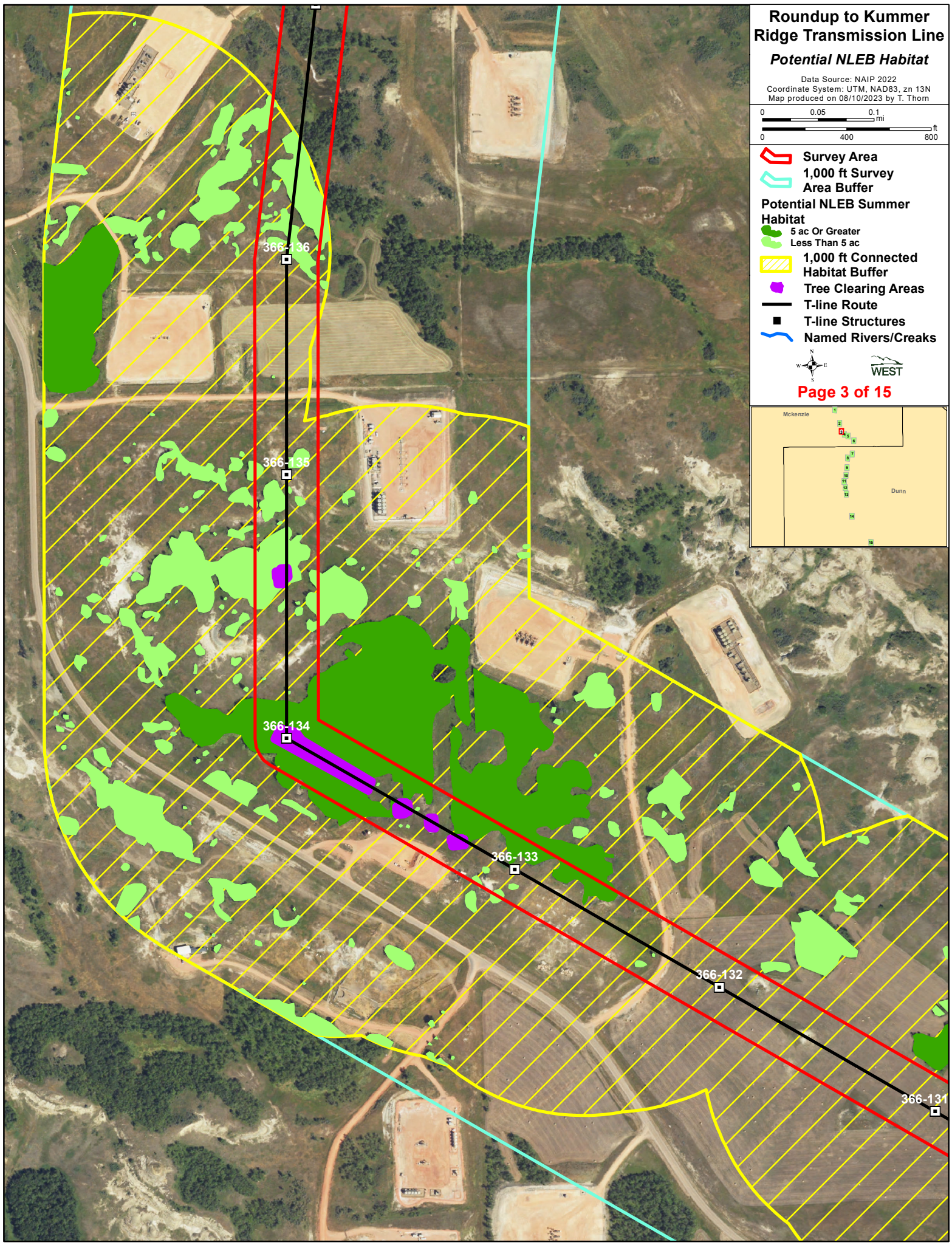
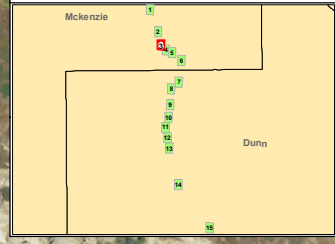
Roundup to Kummer Ridge Transmission Line

Potential NLEB Habitat

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Map produced on 08/10/2023 by T. Thom



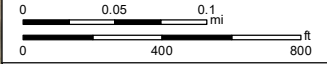
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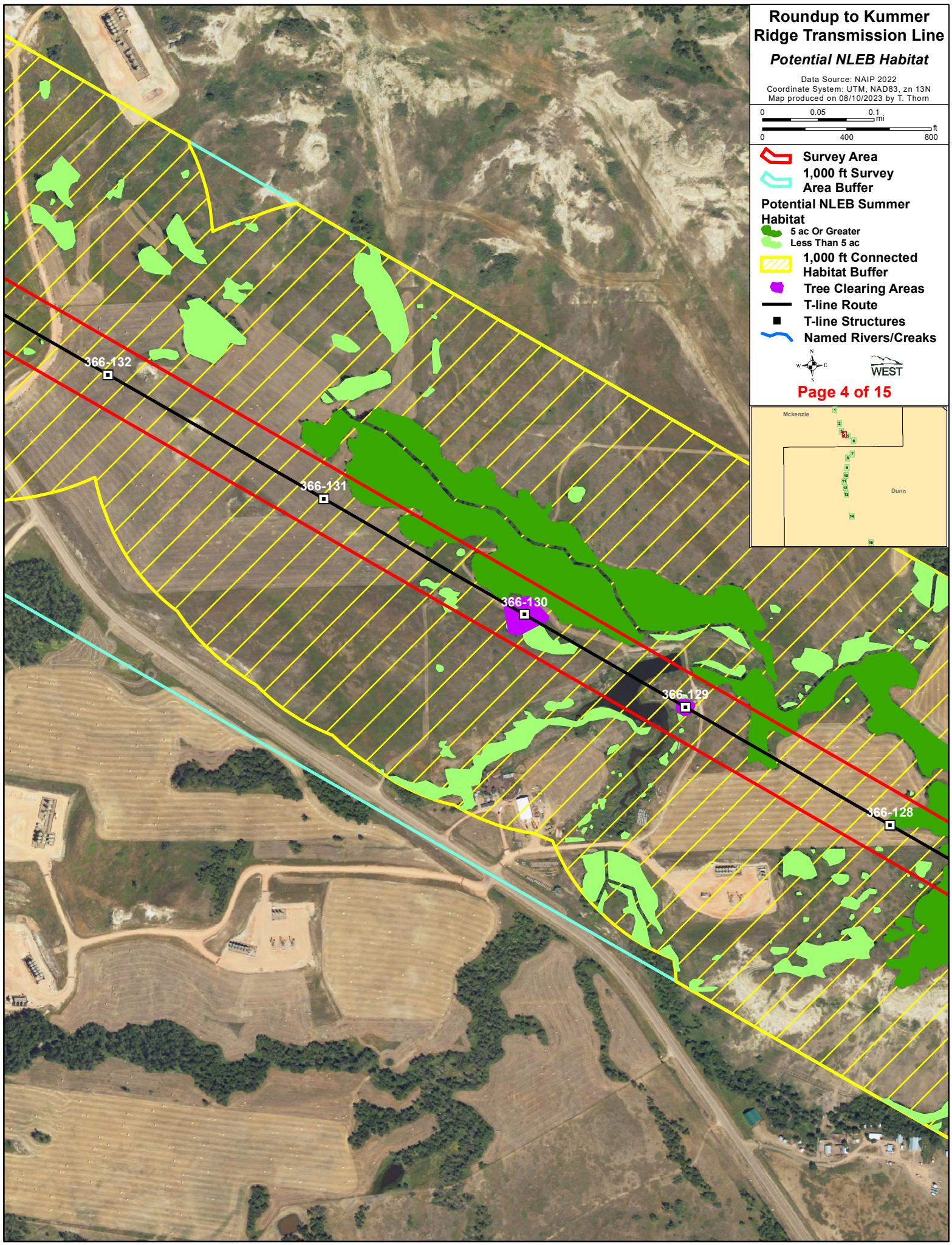
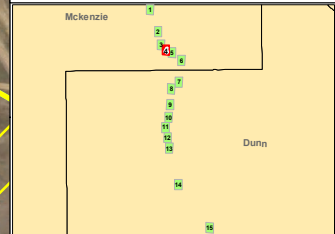
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366-131

366-130

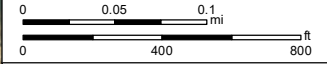
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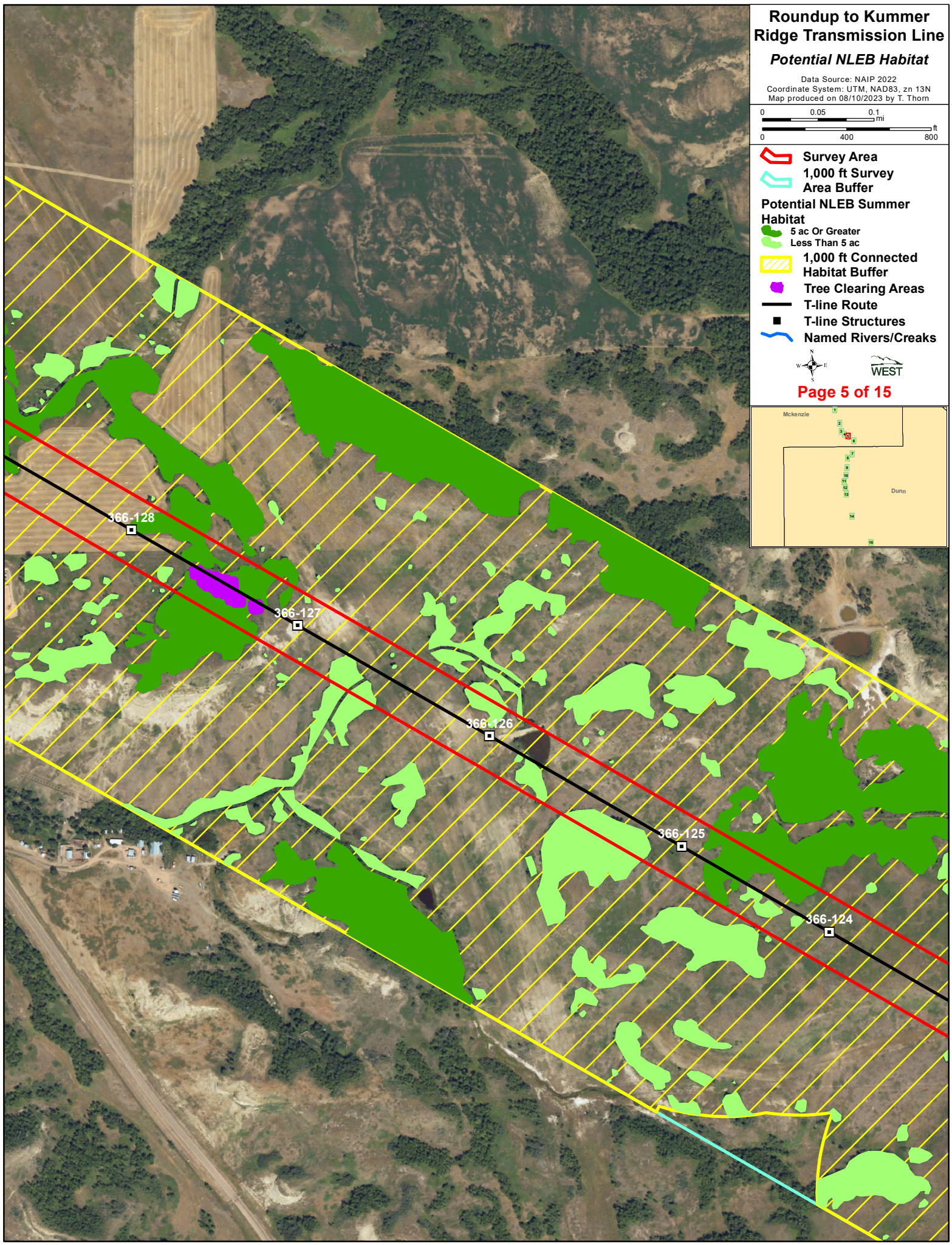
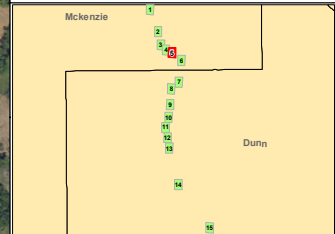
Roundup to Kummer Ridge Transmission Line

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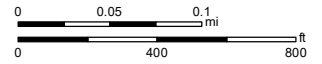
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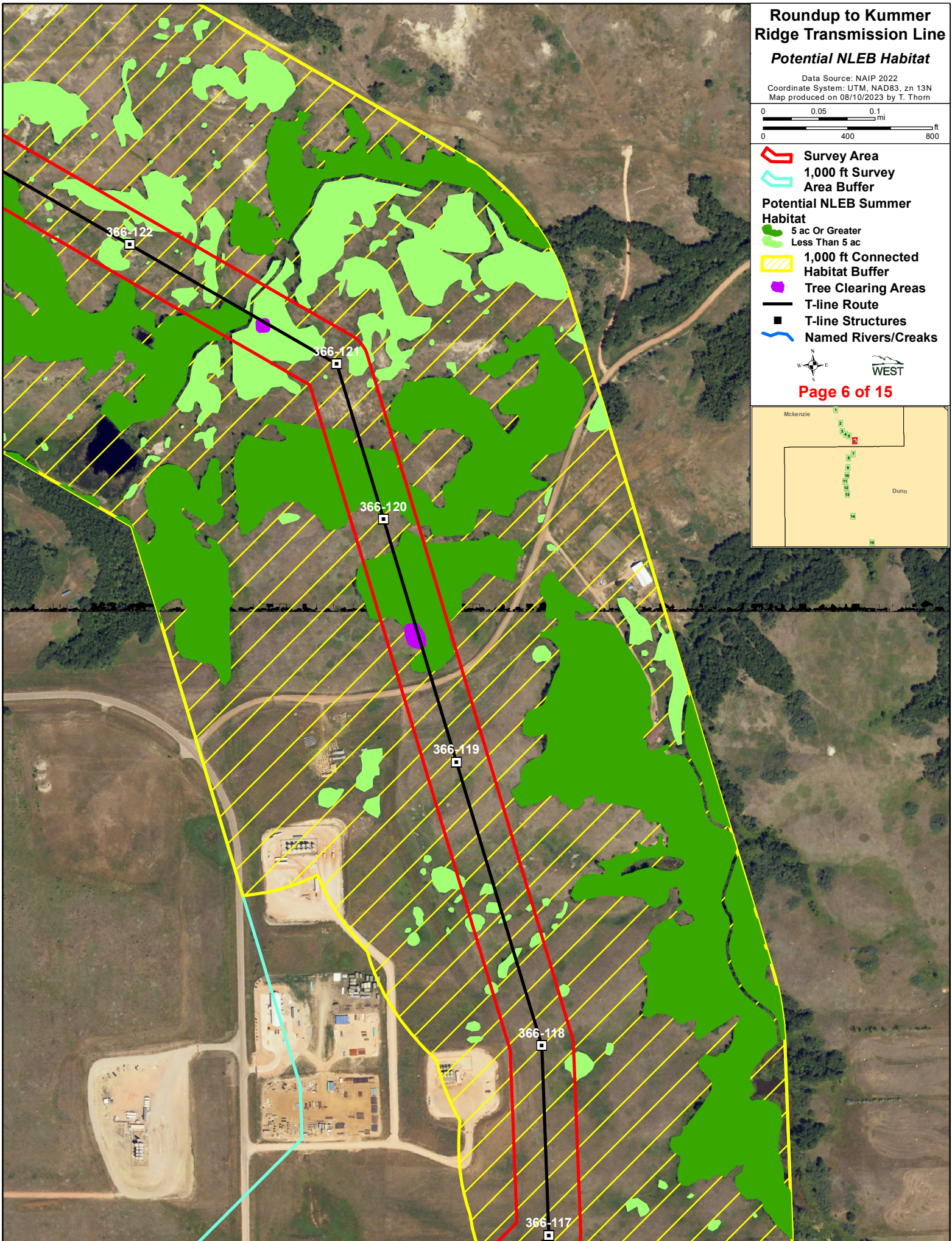
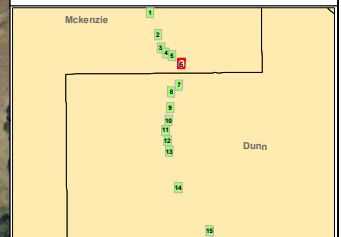
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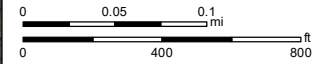
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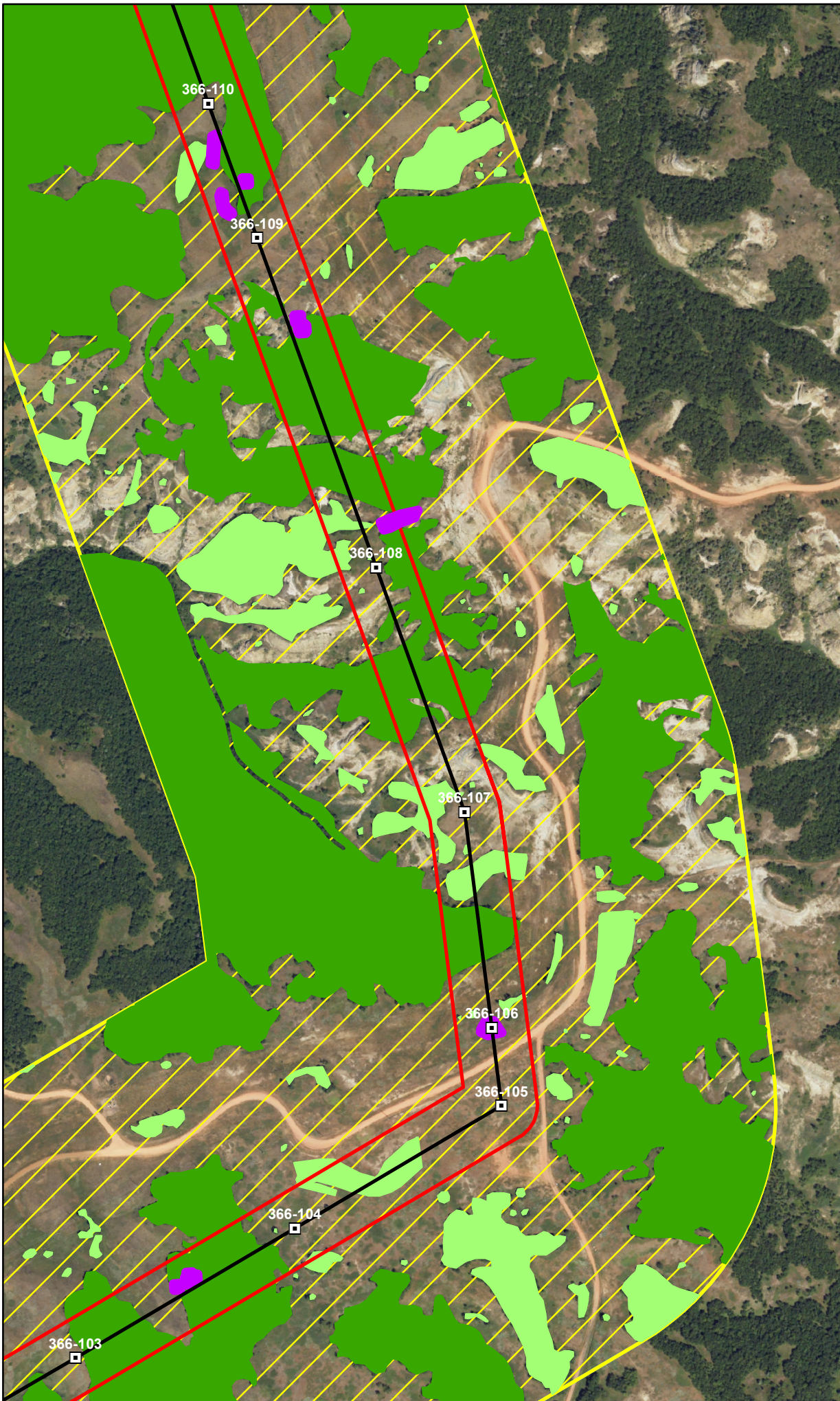
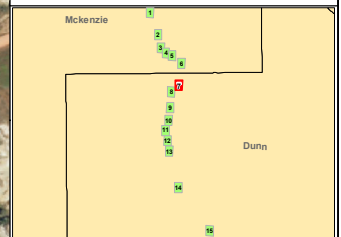
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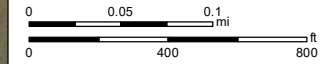
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Roundup to Kummer Ridge Transmission Line

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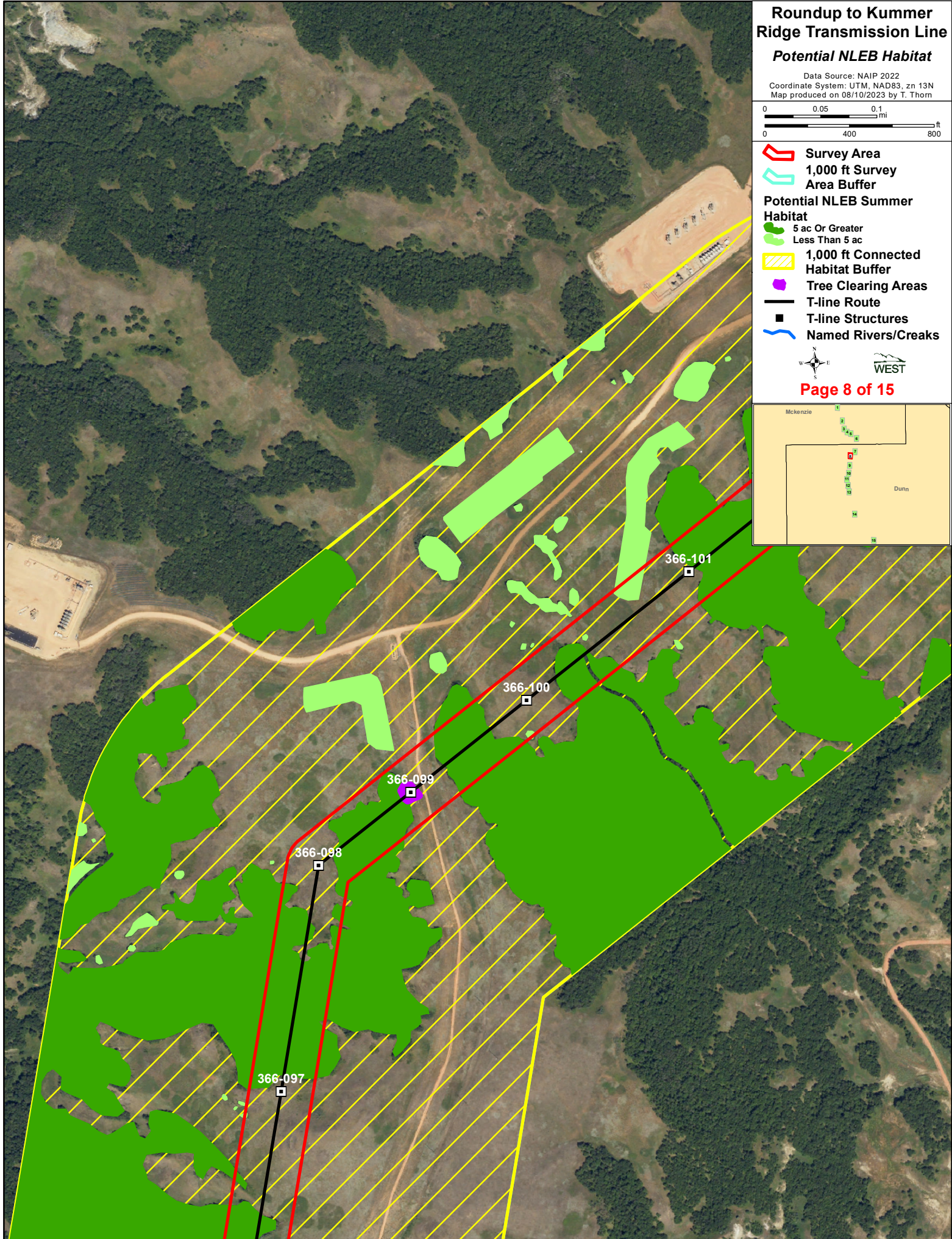
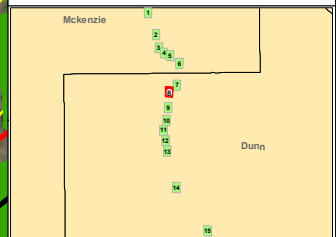
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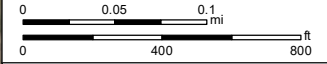
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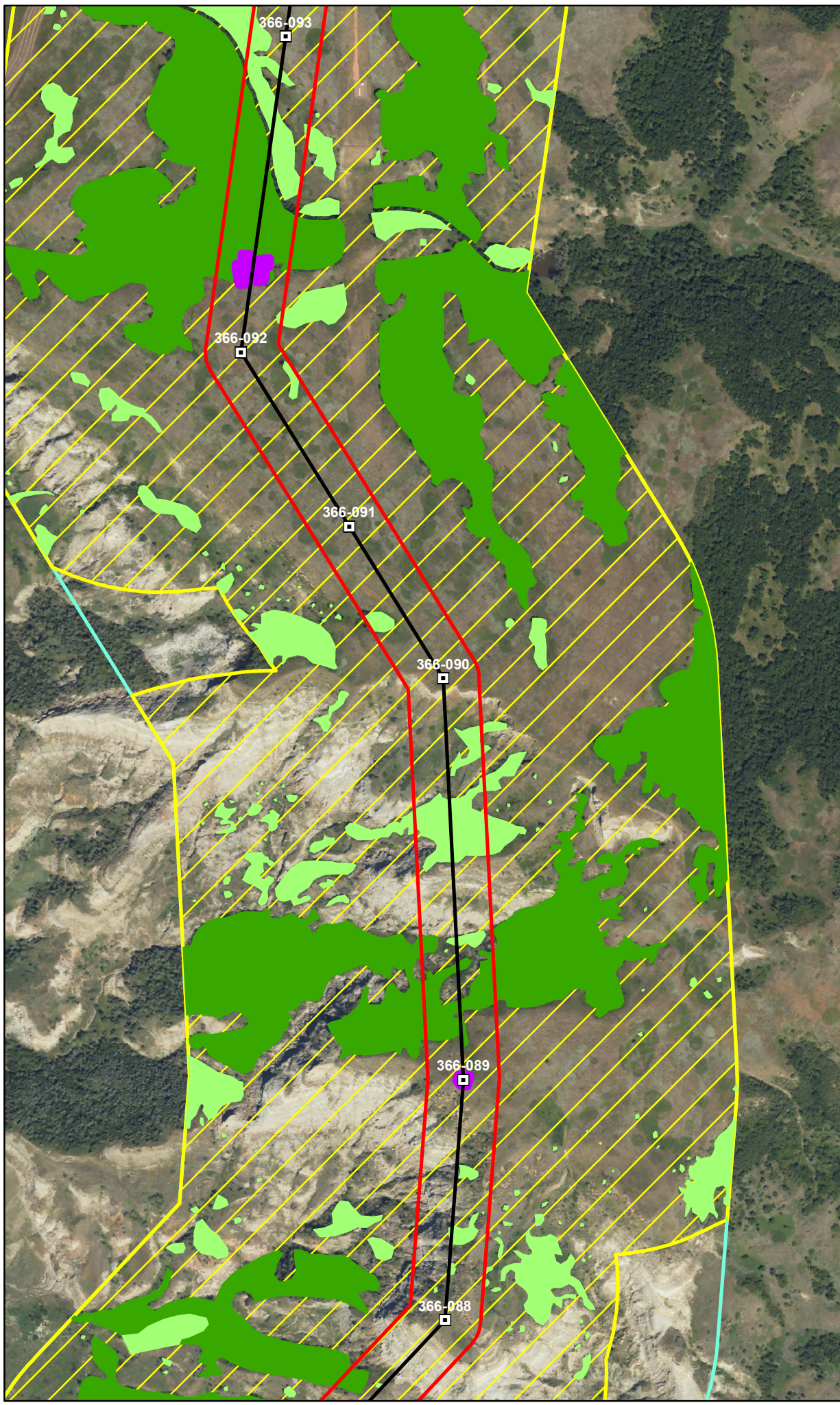
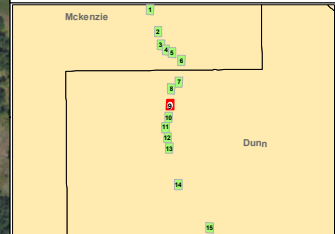
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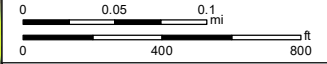
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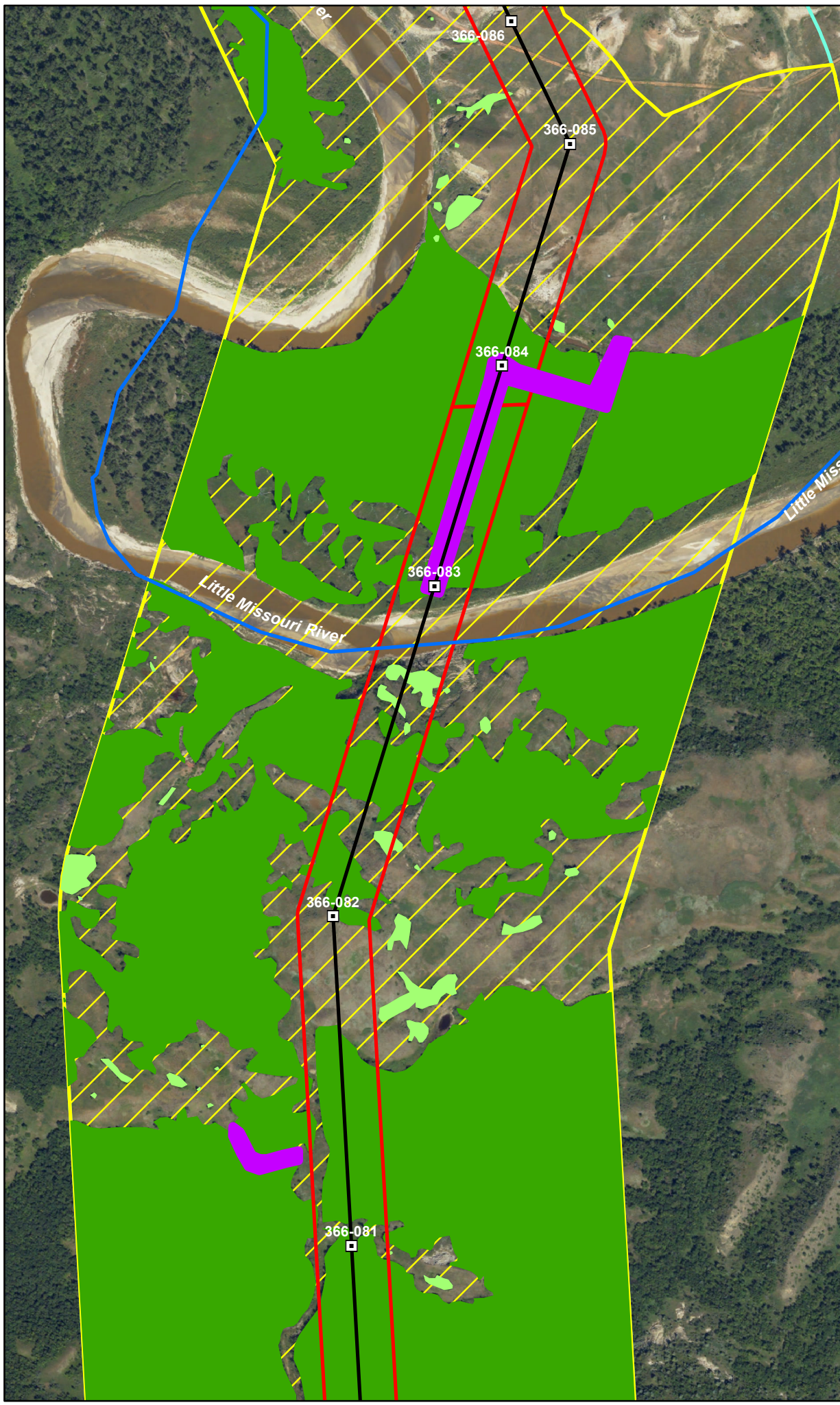
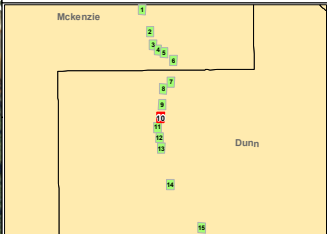
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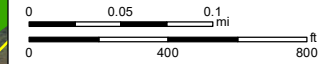
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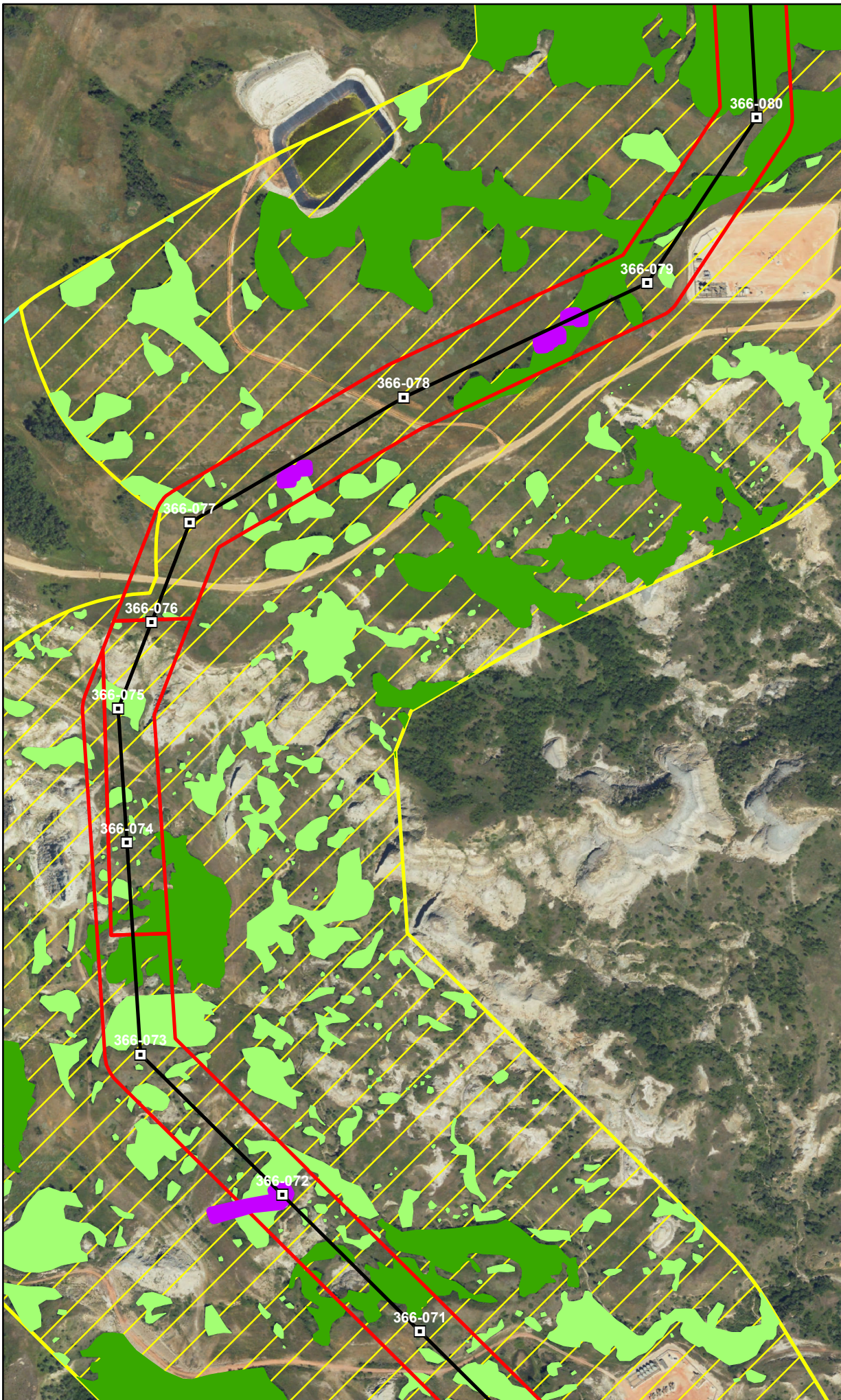
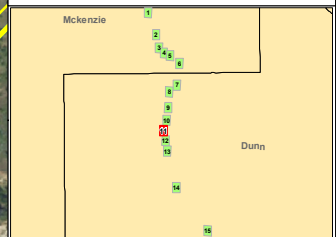
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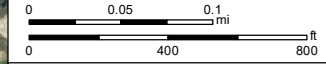
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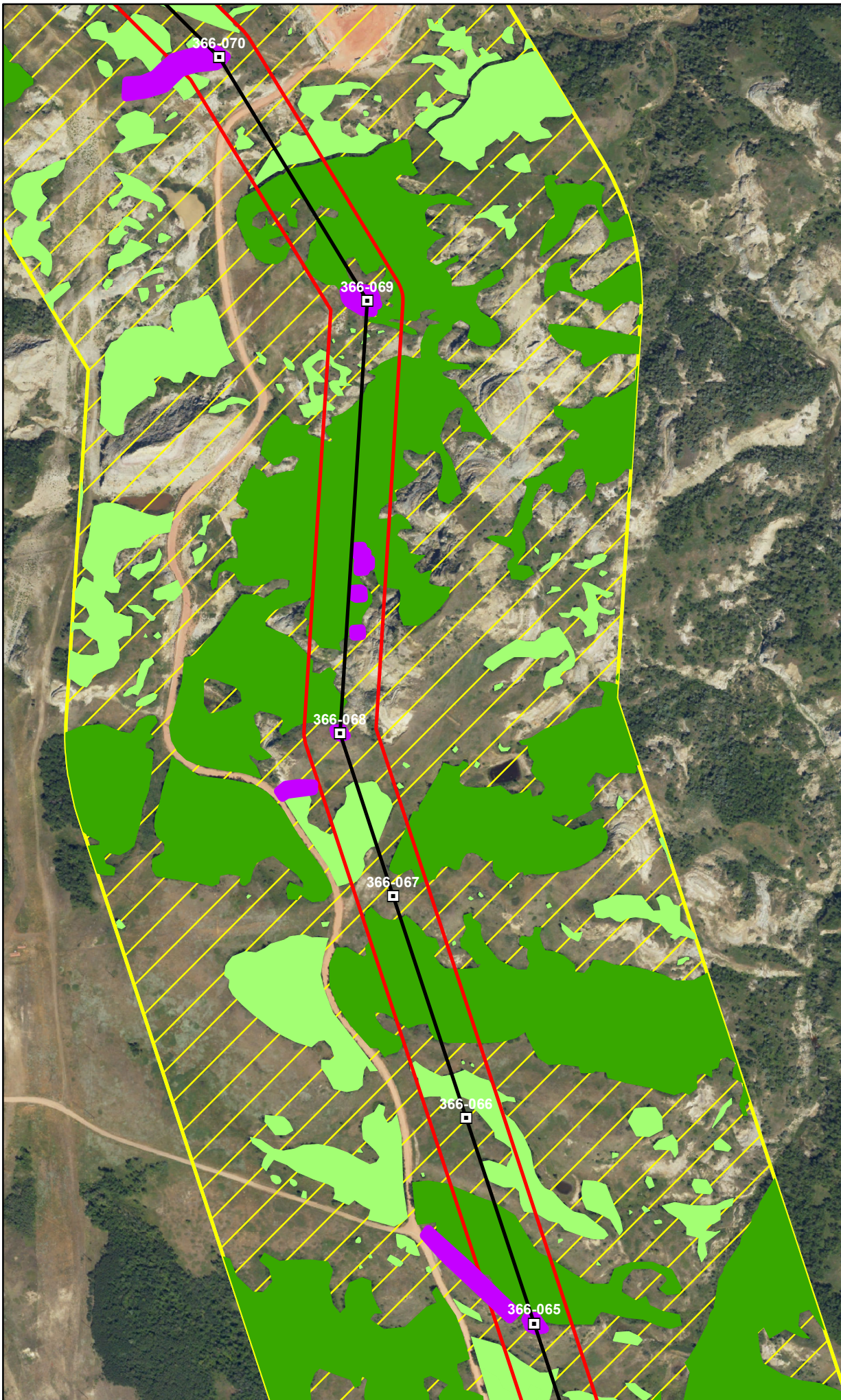
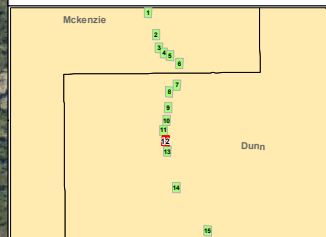
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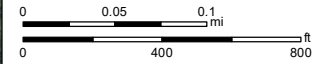
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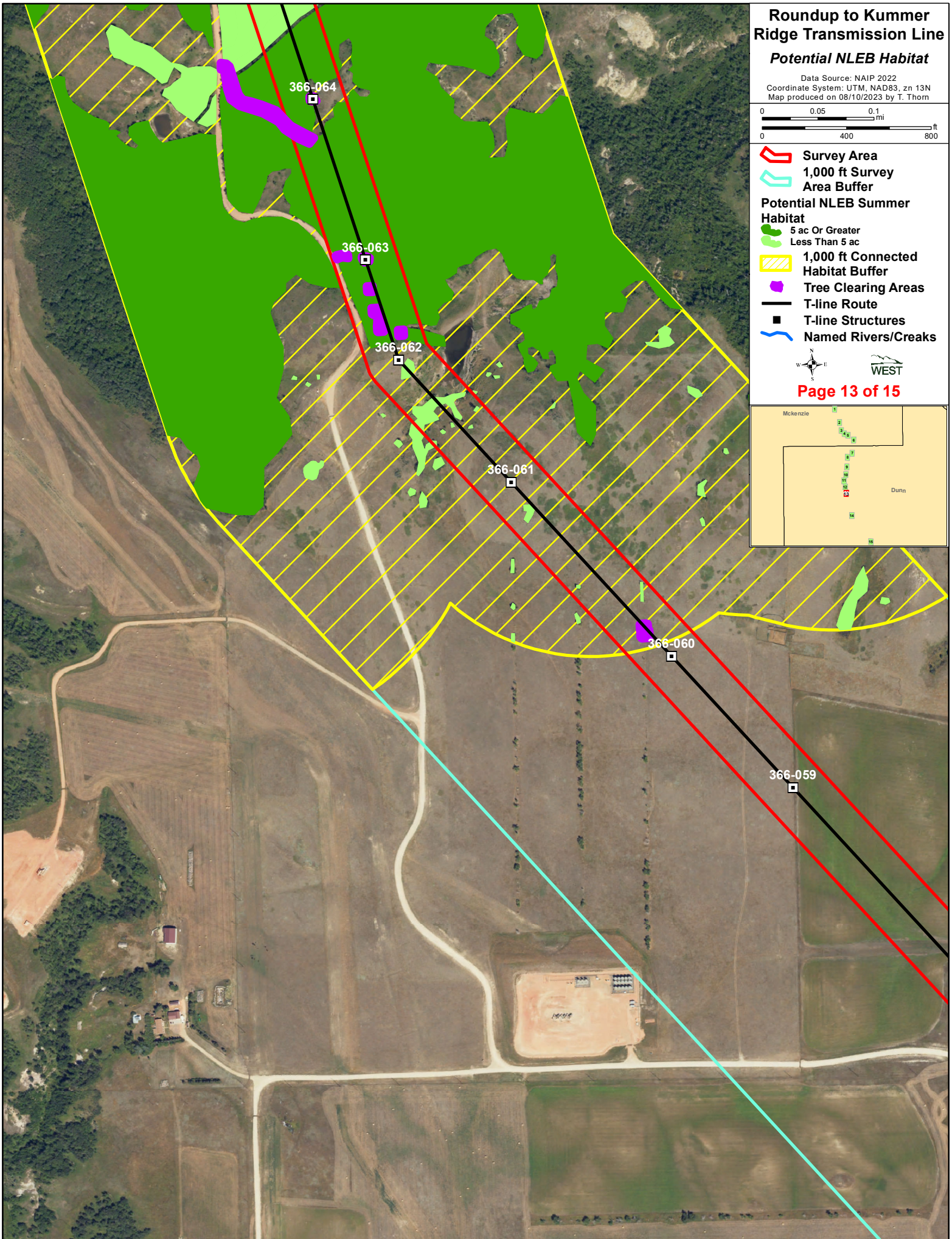
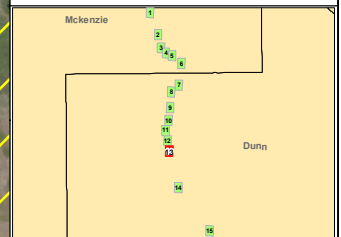
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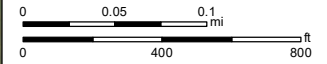
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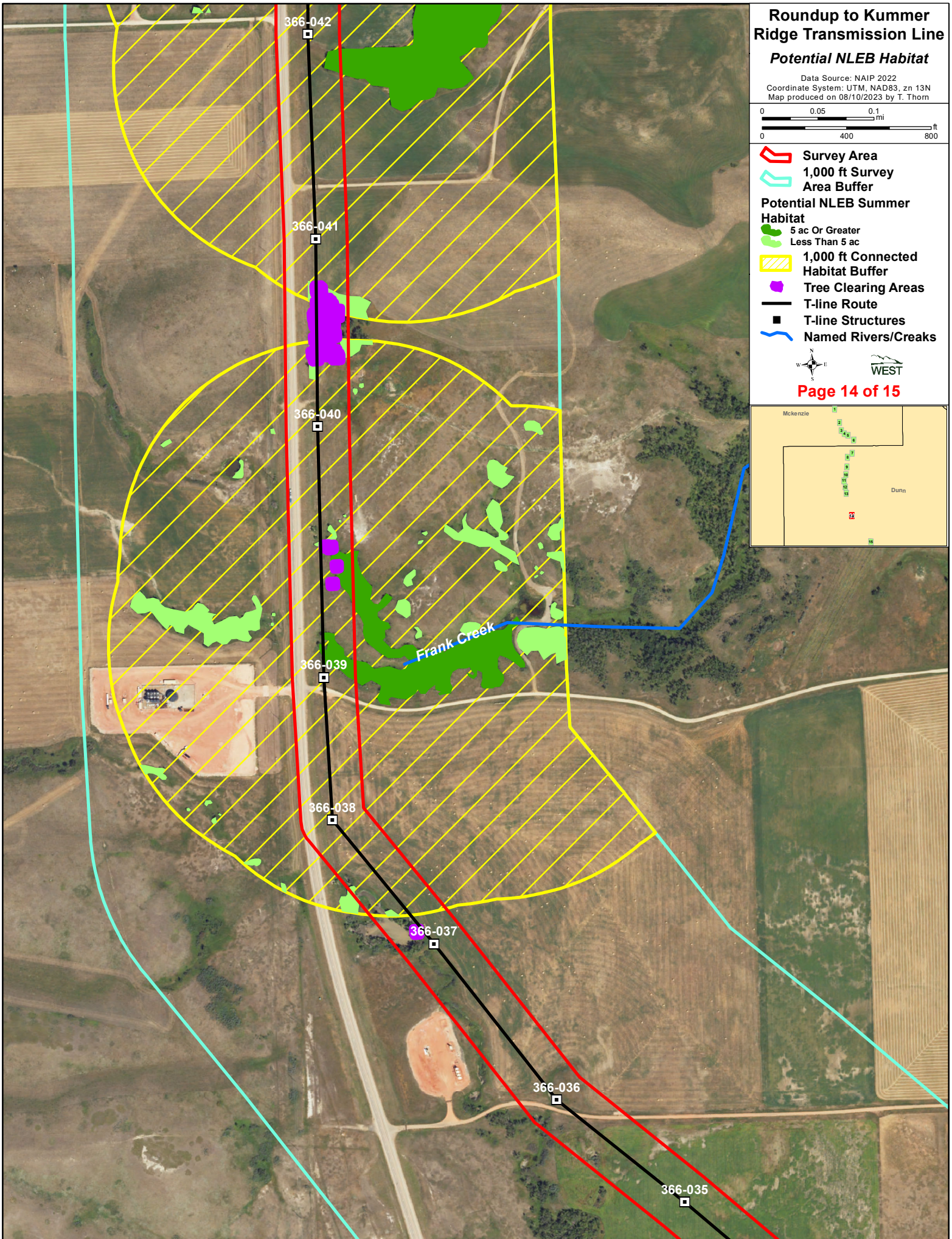
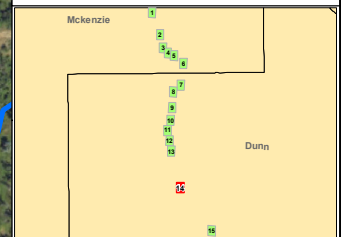
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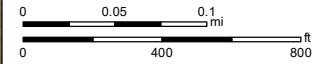
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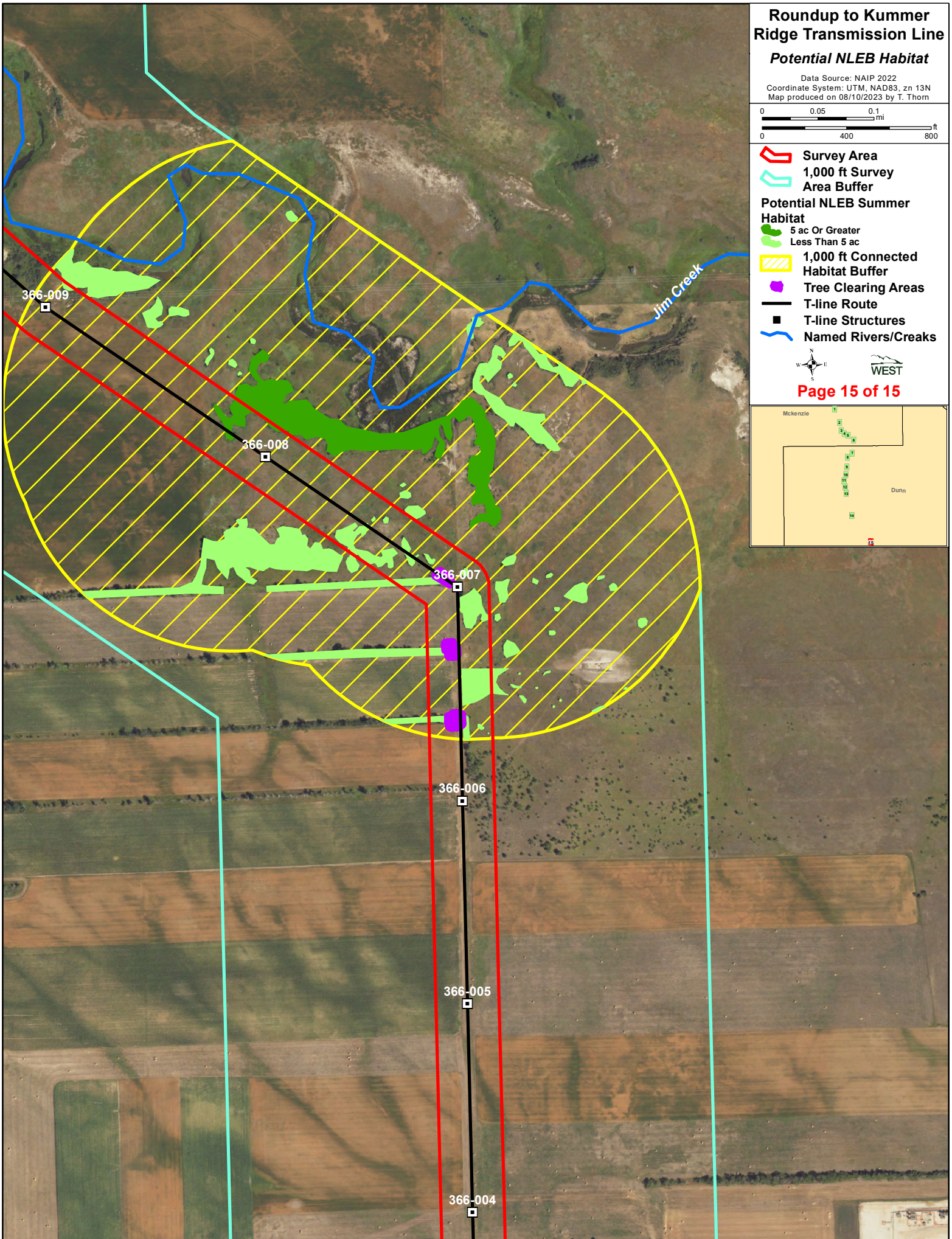
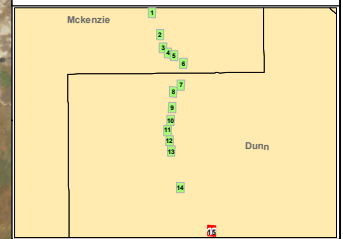
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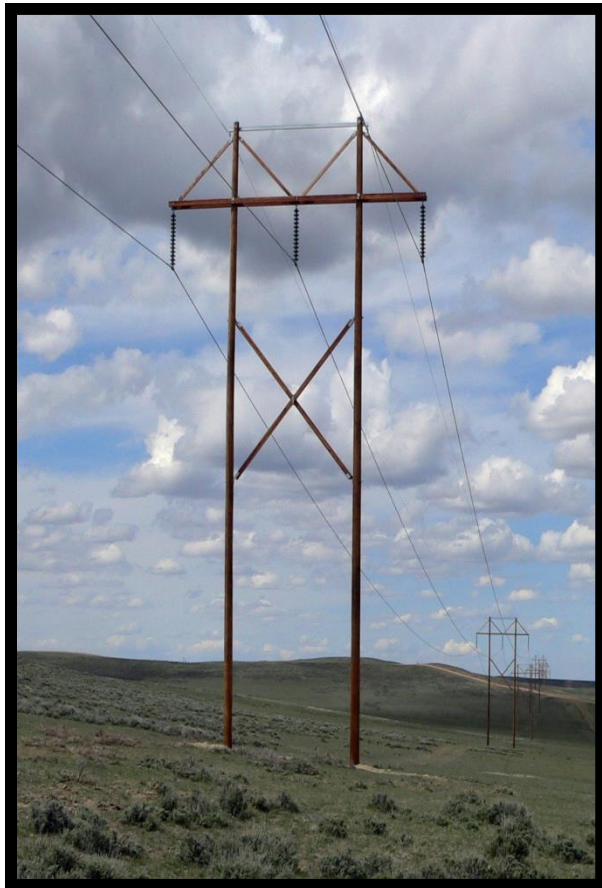


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Appendix D. Basin Electric Power Cooperative Avian and Bat Protection Plan

Basin Electric Power Cooperative Avian and Bat Protection Plan (ABPP)



**BASIN ELECTRIC
POWER COOPERATIVE**

A Touchstone Energy® Cooperative 

Adoption and Approval of Basin Electric Power Cooperative's Avian and Bat Protection Plan

This plan is hereby adopted and approved.

By: T. Brickhouse
Todd Brickhouse, Interim CEO and General Manager
Basin Electric Power Cooperative

Date: October 12, 2023

Version	Date Issued	Date Effective	Changes or Additions	Owner's Initials
1.0	04/05/2013	05/01/2013	Original	ENFD
2.0	08/26/2022	09/01/2022	Updated Forms	ENFD
3.0	10/2/2023	10/9/2023	Updated Forms	ENFD

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1.0 Introduction

Basin Electric Power Cooperative (Basin Electric) is one of the largest electric generation and transmission (G & T) cooperatives in the United States. Basin Electric, along with its subsidiaries, has long promoted the balance between environmental responsibility and providing affordable electricity to its members. This balance is a consideration during all activities of Basin Electric including but not limited to the generation of electricity, developing, siting and building new projects, expansion and updating of current facilities, and building and maintaining transmission lines.

Basin Electric recognizes that necessary operations may impact the environment, including avian and bat species. Basin Electric has developed this Avian and Bat Protection Plan (ABPP) with the overall goal of minimizing avian and bat mortality. This ABPP attempts to identify and potentially remedy situations where negative impacts to avian and bat species may occur. In addition, it provides guiding principles for Basin Electric project developers to build mechanisms to minimize potential impacts to avian and bat species into projects. This ABPP also provides guidelines for training, a monitoring and reporting system, and quality control.

Basin Electric is subject to a number of state and Federal laws that protect avian and bat species. Among the Federal regulations are the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA) and the Endangered Species Act (ESA). These laws, and others, provide protection for some of the wildlife species that may come into contact with Basin Electric facilities and operations.

Basin Electric's ABPP addresses issues associated with overhead transmission lines such as roosting and collision as well as wind turbine disturbance and collision issues. Many of the environmental considerations, for example siting, are applicable to both transmission lines and wind farms. Sections of the ABPP may address concerns collectively or specifically directed to a particular structure or activity, depending upon applicability. While distribution lines also pose a risk to avian species, this document is intended for use by Basin Electric, and therefore, focuses on transmission lines and wind turbines only.

Basin Electric believes that environmental responsibility is a cooperative-wide issue. The goal of this ABPP is to minimize the risks to avian and bat species from Basin Electric wind farms and transmission lines. Basin Electric believes that the development of an ABPP is an evolving process. As more data is collected, the ABPP will be modified to reflect the lessons learned as well as incorporating advances in research and technology. It is Basin Electric's intent that the ABPP will continue to expand, develop and improve as the knowledge regarding these issues within the industry advances and regulatory requirements change.

2.0 Cooperative Policy

Basin Electric is committed to a policy of environmental responsibility, coupled with providing reliable electricity in as low a cost manner as possible to cooperative members. This commitment extends to compliance with regulatory requirements protecting wildlife, obtaining and complying with all state and Federal permits, and making reasonable and prudent efforts to minimize the impact and mortality of avian and bat species while building and maintaining electric generation and transmission facilities.

This ABPP supports that commitment. It provides guidelines for the implementation of cooperative policy and provides a reference for project developers. Through this ABPP, Basin Electric commits to the following:

- Execute the policies and guidelines outlined in this ABPP to the extent practicable while ensuring the health and safety of employees;
- Execute the policies and guidelines outlined in this ABPP to the extent practicable under engineering and economic constraints;
- Act in accordance with all applicable state and Federal regulations regarding avian and bat species;
- Provide necessary training for applicable Basin Electric personnel in methods to minimize impact, identify species of concern, and proper mechanisms for monitoring and reporting;
- Whenever it is reasonably possible, through risk assessment and site selection, Basin Electric will minimize effects to avian and bat species in regard to placement of facilities and supporting infrastructure;
- Design structures to minimize negative impacts to the extent reasonably possible;
- Use best management practices during site construction and maintenance;
- After construction and commissioning, Basin Electric will follow developed monitoring and reporting procedures for mortalities and species of interest as necessary;
- During maintenance activities, Basin Electric will follow developed best management practices;
- As necessary, Basin Electric will consult with local, state and federal experts to gain guidance and share information;
- Whenever reasonable and possible, Basin Electric will take measures to reduce mortality to avian and bat species;
- Basin Electric will implement quality control measures to ensure compliance with the ABPP and identify any necessary updates and/or revisions to the ABPP;
- When retrofitting existing structures, Basin Electric will follow the same standards as new construction whenever practicable.

3.0 Permit Compliance

Basin Electric has developed the following process to obtain and comply with all necessary permits and laws pertaining to avian and bat issues. This process may continue past commissioning and through the life of a project, facility or infrastructure. The Basin Electric person(s) assigned to a project or facility as the environmental lead is responsible for obtaining and ensuring compliance with all permits. Basin Electric has facilities in multiple states, and therefore, may be subject to a variety of permits, laws and agencies, depending upon location.

Permit Process

1. During the project initiation stage, an individual or team from Environmental Services of Basin Electric should be assigned to the project.
2. During the project development stage, the Environmental Services personnel assigned to the project must develop a working list of permits that may potentially be required for the project. This list may continue to develop as the project develops.
3. Basin Electric Environmental Services staff has the lead responsibility for permitting. Environmental Services staff will work with Basin Electric engineering, drafting, GIS, right-of-way, other Basin Electric staff, and consultants to prepare permit applications.
4. When permits have been received, Environmental Services staff will submit the permits to the Records division and notify the project manager of the permit.
5. If the permit contains provisions regarding construction, monitoring and/or reporting, Environmental Services staff must inform appropriate individuals.

4.0 Training

As needed, training on avian and bat issues will be provided for Basin Electric staff as well as contracted staff. This training may vary based on type of project, length of project, project stage, time of year and potentially affected species. An individual's role may dictate the training that may be provided for project development, construction and/or operations. Depending upon the project, training may occur during project development, construction and/or operation. It is not anticipated that all projects will require training at all or any level. Additionally, some projects, such as wind farms, may require project or site specific training to be developed.

5.0 Site Selection and Site Design

Site selection applies the risk assessment analysis to potential project sites. In addition, site selection involves Basin Electric meeting with applicable agencies and landowners. Basin Electric is committed to contacting applicable state and federal agencies early in the project development process. These contacts help ensure that avian, bat and other environmental issues are illuminated as soon as possible.

Wind Turbine Site Layout and Design

Basin Electric uses a number of data sources to determine locations of good wind resource. Basin Electric typically sites wind projects as close to existing transmission lines as possible to minimize the construction of new transmission lines. All collector lines and communication cables are buried to avoid habitat loss and prevent collisions. Typically, this infrastructure would be adjacent to the access roads or along public rights-of-way or easements when possible.

Wind Turbine Siting Parameters

Generally, in addition to high quality wind resource and available transmission, Basin Electric looks to site wind turbines in areas of high pre-existing disturbances when possible. In areas that are going to be monitored closer for wind potential, simultaneously, these areas may also be examined closer for potential avian and bat concerns. A Potential Impact Index (PII) may be done on any site being considered for possible development.

Often, the wind farm layout goes through a series of iterations. Each turbine is micrositied in relation to wind potential, wildlife, permitting, and other environmental and cultural constraints. Specifically, the following guidelines may be used when siting each wind turbine:

- Distance from section line or road;
- Distance from occupied residence;
- Out of hydric soils of a wetland;
- Near edges of a grassland;
- Avoid land with encumbrances, easements or other restrictions;
- Distance from a missile site or military installations;
- Distance from another turbine in the predominant wind direction;
- Distance from a transmission line; and
- Potential impacts on human, cultural, environmental, and natural resources and populations.

Transmission Line Siting Parameters

A preferred transmission line route is chosen from a number of alternatives. The preferred route would be selected after assessing each alternative based on a series of project-specific criteria. The following specific guidelines may be used when siting transmission lines:

- Length of the transmission line;
- Right-of-way requirements and availability;
- Land use considerations such as visual impacts, proximity to residences, and impact on agricultural activities as well as existing and future land use;

- Environmental resource considerations such as impacts on cultural or biological resources such as wildlife, plants, and wetlands;
- Jurisdiction and regulatory considerations;
- Conflicts with airport height restrictions;
- Cost; and
- Requirements of Federal and state law.

The technical performance of each transmission line alternative must be checked with a system analysis to ensure the project meets National Electric Reliability Council standards. Often the termination points of a transmission line are dictated by a need to reinforce a certain area of the transmission system or to provide access for a new generation or load. Usually there is flexibility in the routes of a transmission alternative as long as the line is terminated at the critical sending and receiving locations.

There are a number of factors regarding transmission line placement that may be considered when evaluating the potential impact the transmission line may have to avian species. Among these factors are proximity, vegetation and topography. Engineering and economic concerns must also be considered.

Proximity refers to the distance of the transmission line to any area of prime habitat or potential stopover habitat such as shallow wetlands. The closer the transmission line is to the habitat, the greater the chance for potential collisions.

In instances where the transmission line may be near areas where birds concentrate (e.g., wetlands, stream crossings, historic staging areas, roosts and nesting colonies) Basin Electric will assess if bird diversion devices should be utilized. These devices enhance line visibility, and therefore can reduce the risk of collision.

6.0 Construction Design Standards and Development Practices

General Construction Standards

Basin Electric will use best management practices during construction to minimize impacts to avian and bat species and their habitats. Pre-construction surveys may or may not be conducted depending upon the project. Examples of potential pre-construction surveys are breeding bird surveys, raptor breeding surveys, habitat of concern surveys and lek identification surveys. If pre-construction surveys are conducted, appropriate actions will be taken during construction as a result of the survey(s).

Wetlands will be avoided to the extent practicable during the construction phase of any project. If impacts to United States Army Corp of Engineers (USACE) jurisdictional waters are unavoidable, then Basin Electric will seek coverage under a Section 404 USACE Nationwide Wetland Permit. Permanent impacts to jurisdictional waters will be mitigated according to USACE requirements.

Wind Farm Construction

The building of new roads for wind farm construction and maintenance will be minimized. The existing road system will be used to the extent possible. When additional access roads are necessary, they will generally be built on ridges away from wetlands. When possible, new roads will follow the route of underground collector lines to minimize surface disturbance, and minimizing the disturbance of natural prairie and habitat. Additional road width necessary for construction will be reclaimed after construction.

Typically, temporary meteorological towers associated with a wind farm will be removed when construction begins. Any permanent meteorological tower will be freestanding and have no guy wires except for unusual circumstances when no other operations are practicable. Basin Electric continues to monitor new technology advancements in the market to find additional, less intrusive ways to monitor meteorological conditions.

Training for construction personnel will be site specific. Any observation of threatened or endangered avian and bat species will be reported to state and Federal agencies according to site-specific protocol. In the event of a sighting, construction activities, including curtailing would proceed according to site-specific protocol. Additionally, trained biologists may be on site during construction. This will be determined on a project by project basis.

Basin Electric will use best management practices during construction and operation of any wind farm to protect topsoil and adjacent wetland resources and to minimize soil erosion. Practices may include containing excavated material, use of silt fences, protecting exposed soil, stabilizing restored material, and revegetating disturbed areas with native species to preserve habitat.

Transmission Line Construction

Basin Electric uses *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006* (APLIC 2006) and *Reducing Avian Collisions with Power Lines: The State of the Art in 2012* (APLIC 2012), or the most current versions of these documents as guidance. In general, in areas where electrocution may be a concern, a minimum of 150 cm (60 in) will be provided between phase conductors. Basin Electric builds and maintains transmission lines.

These transmission lines are constructed such that electrocution is typically not a concern. In some situations, perch deterrents may be necessary to discourage birds from landing on or utilizing areas where avian safety is a concern. A combination of the above options may be necessary to protect avian species to the extent possible.

7.0 Post-construction Monitoring and Reporting and Management

Active monitoring and/or use surveys for wind farms and transmission lines are not considered routine operation. Rather, incidental finds or finds resulting from maintenance activities would typically be documented and/or reported. All monitoring protocols, if necessary, will be developed on a site-specific basis. Depending upon the site or project, monitoring efforts may be very limited or unnecessary. If monitoring is appropriate, fatality monitoring and/or avian use surveys may be done.

Basin Electric considers incidental finds and reporting of avian and bat injuries or mortalities on the project site a basic job duty of all on-site personnel. All on-site personnel will be trained in appropriate procedures for identifying and reporting avian or bat injuries or mortalities.

Upon discovery of an injured or deceased avian or bat species on the project site, the following procedure will be followed by on-site personnel.

7.1 *Wind Farm Operational Monitoring and Reporting*

1. Do not remove, touch or move the bird or bat.
2. Photograph the bird or bat and complete the appropriate form.
3. If the bird or bat is a threatened or endangered species or otherwise a species of interest, such as a raptor, immediately notify the Distributed Generation Manager and Environmental Services of Basin Electric. Contact information for Environmental Services is provided on the form in Appendix C.
4. Environmental Services will work with trained biologists for proper handling of the bird or bat and notification of appropriate state and Federal agencies.
5. All completed forms, associated pictures, and any additional documentation will be forwarded to Environmental Services at Basin Electric headquarters in a timely manner.

7.2 *Transmission Line Monitoring and Reporting*

1. Do not remove, touch or move the bird or bat.
2. Complete the appropriate inspection in Minmax by contacting a TSM planner. Photograph the bird, bat or nest. The completed inspection is then automatically emailed to Environmental Services.
3. Environmental Services will work with trained biologists for proper handling of the bird or bat and notification of appropriate state and Federal agencies.
4. All completed forms, associated pictures, and any additional documentation will be forwarded to Environmental Services at Basin Electric headquarters in a timely manner.

7.3 *Nest Management*

Raptors and other avian species may use transmission line poles as a nesting site. The risk of avian electrocution with these nests is not high, but the nests may cause operation and maintenance issues. The Migratory Bird Treaty Act protects all active nests. A nest is

considered active if it has eggs or young birds. If an active nest has the potential to interfere with transmission line operations, the USFWS and the state game and fish department must be conferred with. The Migratory Bird Treaty Act prohibits the collecting of any active nest belonging to a migratory bird. Facility operators will at no time move or destroy any nest without receiving approval from Environmental Services of Basin Electric. Contact information for Environmental Services is provided on the form in Appendix B. Environmental Services will use environmental consultants, the USFWS, and the state game and fish department to determine the best course of action in each situation. Nests of eagles and threatened and endangered species may not be moved or destroyed at any time without consultation with the USFWS and the state game and fish department.

Avian species tend to nest in site specific locations. Therefore, moving a nest does not mean that the nest will not be re-built in the same location. As a result, nesting platforms may need to be utilized. If nesting platforms are to be used, they should be installed on or near the transmission tower that had been utilized for the avian nesting. A nearby, non-energized pole is preferred. The nesting platform should be installed in a way such that nesting materials and avian excrement will not contaminate the lines. If a platform is used, plastic poles, corrugated pipe, or other materials may be placed on the transmission structure to discourage the building of nests particularly in situations where nest building in general should be discouraged for the protection of people, the nesting birds, and/or the power system.

8.0 Consultation and Information Sharing

Basin Electric understands that a great deal of information regarding wildlife interactions with wind turbines, transmission lines and other structures may potentially be gained through the use of routine data collection and surveys. This information, in addition to information gained from other utilities, may result in better practices and new technology that provides more protection to wildlife, particularly avian and bat species. In efforts to facilitate this information gathering, Basin Electric will consider all requests for non-proprietary data and information.

Additionally, Basin Electric looks to the USFWS and state game and fish departments to provide consultation services and expert advice throughout the life of projects.

9.0 Mortality Reduction Measures

The information gained through risk management activities, along with additional data collection, will be analyzed by Basin Electric Environmental Services staff and/or wildlife consultants. This analysis will then be translated for future project development as best practices to prevent avian and bat mortality and injury. This information will also be used by Basin Electric to determine whether or not a mortality reduction plan for the project or site is warranted. The data collected through the implementation of the ABPP will also help determine the need for a mortality reduction plan.

If a mortality reduction plan is needed there are a number of elements that may be included. A risk assessment may provide information predicting the best approach. Biological and electrical design information should also be utilized to prioritize transmission poles, identify benefits and causes of injury or mortality to avian species and bats.

10.0 Avian and Bat Enhancement Options

Basin Electric has for many years provided excellent avian habitat through the use of reclaimed mine land, and other mitigation and reclamation projects and opportunities Basin Electric has also sought out opportunities to partner in habitat conservation with non-governmental organizations. In addition, Basin Electric welcomes collaboration between Basin Electric and volunteer groups and service organizations to enhance avian and bat populations.

11.0 Quality Control

Quality control and review is vital to ensuring that the ABPP accomplishes the goals set forth and remains a useful tool in avian and bat protection. Training will be conducted annually for facility maintenance staff. The ABPP will be reviewed and updated as needed by Basin Electric environmental and project staff, and/or consultants.

12.0 Key Resources

The following have been identified as key resources for the ABPP, particularly within Basin Electric's Service area.

U.S. Fish and Wildlife Service Migratory Bird Permit Regional Offices

Region 3: (Iowa, Illinois, Indiana, Minnesota, Missouri, Michigan, Ohio, Wisconsin)

U.S. Fish and Wildlife Service Migratory Bird Permit Office

One Federal Drive

Fort Snelling, MN 55111

Telephone (612) 713-5436

Fax: (612) 713-5393

Email: permitsR3MB@fws.gov

Region 6: (Colorado, Kansas, Montana, North Dakota, Nebraska, South Dakota, Utah, Wyoming)

U.S. Fish and Wildlife Service Migratory Bird Permit Office

P.O. Box 25486 DFC (60154)

Denver, CO 80225-0486

Telephone: (303) 236-8171

Fax: (303) 236-8017

Email: permitsR6MB@fws.gov

U.S. Fish and Wildlife Service Office of Law Enforcement

National Headquarters

Office of Law Enforcement

U.S. Fish and Wildlife Service

4401 North Fairfax Drive,

MS-LE-3000

Arlington, Virginia, USA 22203

Telephone: (703) 358-1949

Fax: (703) 258-2271

Great Lakes – Big Rivers Region (3): Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Wisconsin

U.S. Fish and Wildlife Service

Office of Law Enforcement

One Federal Drive

Fort Snelling, Minnesota, USA 55111-0045

Telephone (612) 713-5320

Fax: (612) 713-5283

Mountain-Prairie Region (6): Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, Wyoming

U.S. Fish and Wildlife Service

Office of Law Enforcement

P.O. Box 25486 - DFC

Denver, Colorado USA 80225

Telephone: (303) 236-7540
Fax: (303) 236-7901

U.S. Fish and Wildlife Service Ecological Services Field Offices

U.S. Fish and Wildlife Service
Montana Ecological Services Field Office
585 Shepard Way
Helena, MT 59601
Telephone: (406) 449-5225
Fax: (406) 449-5339
Email: MontanaFieldOffice@fws.gov
<http://www.fws.gov/montanafieldoffice>

U.S. Fish and Wildlife Service
Nebraska Ecological Services Field Office
203 West Second Street
Federal Building, Second Floor
Grand Island, NE 68801-5907
Telephone: (308) 382-6468
Fax: (308) 384-8835
Email: June_Deweese@fws.gov
<http://www.fws.gov/mountain-prairie/es/Nebraska/index.htm>

U.S. Fish and Wildlife Service
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926
Telephone: (701) 250-4481
Fax: (701) 355-8513
Email: northdakotafieldoffice@fws.gov
<http://www.fws.gov/northdakotafieldoffice>

U.S. Fish and Wildlife Service
South Dakota Ecological Services Field Office
420 S. Garfield Avenue, Suite 400
Pierre, SD 57501-5408
Telephone: (605) 224-8693
Fax (605) 224-9974
Email: southdakotafieldoffice@fws.gov
<http://www.fws.gov/southdakotafieldoffice>

U.S. Fish and Wildlife Service
Wyoming Ecological Services Field Office
5353 Yellowstone Road, Suite 308A
Cheyenne, WY 82009
Telephone: (307) 772-2374
Fax: (307) 772-2358
<http://www.fws.gov/wyominges>

U.S. Fish and Wildlife Service National Eagle Repository

U.S. Fish and Wildlife Service
National Eagle Repository
Rocky Mountain Arsenal, Building 619
Commerce City, CO 80022
Telephone: (303) 287-2110
Fax: (303) 287-1570
<http://mountain-prairie.fws.gov/law/eagle>

Code of Federal Regulations (CFR) websites

Main CFR webpage
<http://gpoaccess.gov/cfr/>

List of migratory birds, 50CFR10.13

http://a257.g.akamaitech.net/7/257/2422/01dec20031500/edocket.access.gpo.gov/cfr_2003/oct_qtr/50cfr10.13.htm

General permit procedures, 50CFR13

http://access.gpo.gov/nara/cfr/waisidx_03/50cfr13_03.html

Endangered and threatened wildlife and plants, 50CFR17

http://access.gpo.gov/nara/cfr/waisidx_03/50cfrv2_03.html

Migratory bird permits, 50CFR21

http://access.gpo.gov/nara/cfr/waisidx_03/50cfr21_03.html

Eagle permits, 50CFR22

http://access.gpo.gov/nara/cfr/waisidx_03/50cfr22_03.html

State Agencies

Iowa Department of Natural Resources
502 E. 9th Street
Des Moines, IA 50319-0034
Telephone: (515) 281-5918
Fax: (515) 281-8895
Email: webmaster@dnr.iowa.gov
<http://www.iowadnr.gov/>

Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4040
Telephone: (651) 296-6157
Email: info@dnr.state.mn.us
<http://www.dnr.state.mn.us>

Montana Department of Fish, Wildlife and Parks
1420 East Sixth Avenue
P.O. Box 200701
Helena, MT 59620-0701
Telephone: (406) 444-2535

Fax: (406) 444-4952
E-mail: fwpgen@mt.gov
<http://fwp.mt.gov/default.html>

Nebraska Game and Parks Commission
2200 N 33rd Street
Lincoln, NE 68503
Telephone: (402) 471-0641
Email: ngpc.webmaster@nebraska.gov
<http://www.ngpc.state.ne.us>

North Dakota Game and Fish Department
100 N Bismarck Expressway
Bismarck, ND 58501-5095
Telephone: (701) 328-6300
Fax: (701) 328-6352
Email: ndgf@nd.gov
<http://gf.nd.gov/>

South Dakota Department of Game, Fish and Parks
523 East Capitol Avenue
Pierre, SD 57501
Telephone: (605) 773-3485
Email: Wildinfo@state.sd.us
<http://www.sdgfp.info/Index.htm>

Wyoming Game and Fish Department
5400 Bishop Boulevard
Cheyenne, WY 82006
Telephone: (307) 777-4600
<http://gf.state.wy.us/>

Consultants

Corporate Headquarters
Western EcoSystems Technology, Inc. (WEST)

2003 Central Avenue
Cheyenne, Wyoming 82001
Phone: (307) 634-1756
Fax: (307) 637-6981
Email: admin@west-inc.com
<http://www.west-inc.com/index.php>

Midwest-West Region
Western EcoSystems Technology, Inc. (WEST)
Bismarck Branch Office
4007 State Street, Suite 109
Bismarck, North Dakota 58503
Phone: (701) 250-1756

13.0 Appendices

- 13.1 *Appendix A – Dead or Injured Bird Form – Transmission Line and Substation***
- 13.2 *Appendix B – Nest Form – Transmission Line and Substation***
- 13.3 *Appendix C – Dead or Injured Bird or Bat Form – Wind Farm***
- 13.4 *Appendix D - Whooping Crane Notification Form - Wind Farm***

Dead or Injured Bird Form – Transmission Line or Substation

This form will be completed using the Minmax Inspection tool. Screenshot of actual inspection questions below:

No.	Status	Question	Action	Results	Comments	Question History
1		Take a photograph of the bird	Inspected	Any Text 20 Char	Type Comment Here...	
2		If the bird has a band and is it's visible take a picture of it.	Inspected	Any Text 20 Char	Type Comment Here...	
3		Provide a description of location approximate from a structure or piece of equipment in comments	Inspected	Any Text 20 Char	Type Comment Here...	

Notification to USFWS (if necessary) _____ Date _____

Notification to State Game and Fish (if necessary) _____ Date _____

Corrective Action (if necessary) _____ Date _____

Environmental Services Contacts

1. Erin Fox Dukart – Office: (701) 557-5557; Cell: (701) 426-8116
2. Ryan King – Office: (701) 557-5558; Cell: (701) 426-9469

Nest Form – Transmission Line or Substation

This form will be completed using the Minmax Inspection tool. Screenshot of actual inspection questions below:

No.	Status	Question	Action	Results	Comments	Question History
1		Take a photograph of the nest	Inspected	Any Text 20 Char	<input type="checkbox"/> Type Comment Here...	
2		Is the nest active if yes take a picture of the bird if possible?	Inspected	Yes	<input type="checkbox"/> Type Comment Here...	
3		Provide a description of location approximate from a structure or piece of equipment in comments	Inspected	Any Text 20 Char	<input type="checkbox"/> Type Comment Here...	

Notification to USFWS (if necessary) _____ Date _____

Notification to State Game and Fish (if necessary) _____ Date _____

Corrective Action (if necessary) _____ Date _____

Environmental Services Contacts

1. Erin Fox Dukart – Office: (701) 557-5557; Cell: (701) 426-8116
2. Ryan King – Office: (701) 557-5558; Cell: (701) 426-9469

Dead or Injured Bird or Bat Form – Wind Farm (Adapted from APLIC 2006)

Date of Form Completion: _____ Name of Wind Farm: _____

AVIAN/BAT INFORMATION

Avian Species

- Bald Eagle
- Golden Eagle
- Whooping Crane
- Hawk (specify if possible): _____
- Owl (specify if possible): _____
- Waterfowl (specify if possible): _____
- Other (specify if possible): _____

If unable to identify, please describe:

Bat Species

Please describe:

Bird or Bat Count: _____ Did avian/bat die: Yes No

If any bands or tags, please notify Environmental Services and write the tag/band number and agency _____

Physical Condition of Bird or Bat: (Body intact, just feathers, type of injury, etc).

Sign of Death or Injury (circle one) Collision Electrocutation Shot Roadkill
Unknown Other: _____

Date Found: _____ Time Found: _____

If known, describe how the bird or bat was injured or died (bird contacted transformer bushings, turbine collision, etc.) _____

Weather conditions at time of death if known (e.g. rainy and cold, sunny and warm, etc)

Status of carcass/remains: No carcass Left on-site

LOCATION INFORMATION

Closest Turbine Identification No. _____

County and State: _____

Finder's Last Name: _____ First Name: _____

Location Description (Include nearest structure, distance from structure, etc.)

Description of Terrain and Vegetation in Area (e.g. near agriculture area, near wetlands, rugged terrain, native prairie, dense city area, residential housing, etc.)

Nest visible nearby? If so, please provide detailed description of the size and location of the nest. _____

Comments/Additional Information:

Notification to USFWS (if necessary) _____ Date _____
Notification to State Game and Fish (if necessary) _____ Date _____
Corrective Action (if necessary) _____ Date _____

Environmental Services Contacts

1. Steve Smokey – Office (701) 557-5180; Cell: (701) 204-8197
2. Erin Fox Dukart – Office: (701) 557-5557; Cell: (701) 426-8116
3. Ryan King – Office: (701) 557-5558; Cell: (701) 426-9469
4. Joe Fiedler - Office (701) 557-5094; Cell: (701) 390-3633

PrairieWinds Whooping Crane Notification

Date: _____

Time: _____

Name of Person Calling: _____

Phone Number of Caller: _____

Description of the Bird: _____

Sighting Location: _____

If Killed or Wounded, Location: _____

The Following People Need to be Notified Immediately:

1. Joe Fiedler - Office: (701) 557-5094; Cell: (701) 390-3633
2. Erin Fox Dukart - Office: (701) 557-5557; Cell: (701) 426-8116
3. Ryan King – Office: (701) 557-5558; Cell: (701) 426-9469
4. Steve Smokey - Office: (701) 557-5180; Cell: (701) 204-8197
5. Lindsey Chumley - Office: (701) 557-5038; Cell: (701) 400-8784

Date of Turbine(s) Shutdown: _____ Time of Turbine(s) Shutdown: _____

Wind Turbine ID Number(s) Shutdown: _____

Date of Turbine Restart: _____ Time of Turbine Restart: _____

Date the Park was Shutdown: _____ Time the Park was Shutdown: _____

Additional Comments:

Name: _____

Whooping Crane Migration Season:

- April 1st to May 15th
September 10th to October 31st

Appendix G
Agency Consultation Summary

Basin Electric Power Cooperative

Roundup to Kummer Ridge 345-kV Transmission Project

Agency	Date Mailed	Agency Response Date	Agency Comments	Response to Agency	Response Summary
91 st Missile Wing/Minot Air Force Base	03/09/23	03/27/03	The Minot Airforce Base does not have any intercontinental ballistic missiles and launch facilities in the Project Area		
Department of Defense (DOD)	03/09/23	05/18/23	Project will have minimal impact on military operations in the area.		
Federal Aviation Administration	03/09/23		Spherical markers and lights should be placed on first six structures.	Redesign of structures and location(s) submitted	Spherical markers should be placed but lights are not required
Grand Forks Air Force Base	03/09/23	None received			
U.S. Fish and Wildlife Service North Dakota Ecological Services Field Office	03/09/23 10/30/23 11/29/23	03/31/23 11/03/23 12/04/23	Requested review of Dakota skipper survey results. Concurrence of threatened and endangered species assessment(s).	Natural Resources Report submitted on 10/30/23. Additional information submitted on 11/29/23.	USFWS reviewed Natural Resources Report and provided concurrence of threatened and endangered species assessment(s).
United State Forest Service - McKenzie Ranger District	03/09/23	None received			
United States Bureau of Indian Affairs (BIA)	09/12/23		BIA is the surface management agency for potentially affected tribal lands and individual allotments. The BIA's actions in connection with the proposed Project include the approval of leases, easements, and rights-of-way (ROW), and determinations regarding cultural resource effects	Environmental Assessment has been submitted.	NOA regarding FONSI received on 12/06/23.

Basin Electric Power Cooperative

Roundup to Kummer Ridge 345-kV Transmission Project

Agency	Date Mailed	Agency Response Date	Agency Comments	Response to Agency	Response Summary
United States Bureau of Land Management (BLM)	03/09/23	Pending	BLM is a cooperating agency with BIA regarding Environmental Assessment. Additionally, a ROW easement agreement is pending for pole placement and use of access roads.	ROW Easement application and Environmental Assessment have been submitted.	ROW Easement application and Environmental assessment are under review.
USACE-Regulatory Office Omaha District	03/09/23	04/12/23	Response received via email from Sam Swanberg, Regulatory Project Manager: a USACE Section 404 Permit may be required. Provided a copy of NWP 12 and blank application form for review.		
USACE-Garrison Project Office/Lake Sakakawea	8/31/23	09/14/23	A Real Estate instrument for road use is not needed. Requested documentation of current road condition prior to construction, schedule, plans and specifications, and Environmental Assessment.		
USDA-Natural Resources of Conservation Service-Bismarck Office	03/09/23	03/17/23	Response received via mail from Mr. Bott stating that NRCS has responsibility with Farmland Protection Policy Act (FPPA). Farming and ranching activities in the Project area will not be significantly impacted; therefore, FPPA does not apply.		
USDA-North Dakota Farm Service Agency	03/09/23	10/27/23	Email response received from Wanda Braton requesting a shapefile of the Project alignment	A shapefile was sent to Wanda on 10/27/2023	
Three Affiliated Tribes (TAT) MHA Nation Energy Division	06/03/23		Proposed route is acceptable and give concurrence to proceed with Project for impact analysis.		
MHA Nation / Three Affiliated Tribes	03/09/23	None received			

Basin Electric Power Cooperative

Roundup to Kummer Ridge 345-kV Transmission Project

Agency	Date Mailed	Agency Response Date	Agency Comments	Response to Agency	Response Summary
MHA Nation Tribal Council Tribal Chairman	03/09/23	None received			
MHA Nation Tribal Council East Segment Representative	03/09/23	None received			
Four Bears Segments Administrative Office	03/09/23	None received			
South Segment – Twin Buttes Office	03/09/23	None received			
North Segment – Tribal Admin Building	03/09/23	None received			
TAT Fish and Wildlife Division	03/09/23	None received			
MHA Natural Resources	03/09/23	None received			
Job Service of North Dakota	03/09/23	None received			
North Dakota Aeronautics Commission	03/09/23	None received			
North Dakota Attorney General	03/09/23	None received			
North Dakota Department of Career and Technical Education	03/09/23	None received			
North Dakota Department of Commerce	03/09/23	None received			

Basin Electric Power Cooperative

Roundup to Kummer Ridge 345-kV Transmission Project

Agency	Date Mailed	Agency Response Date	Agency Comments	Response to Agency	Response Summary
North Dakota Department of Environmental Quality- Environmental Health Section	03/09/23	04/03/23	Written response was received from Mr. Glatt. The response stated that the department believes that the environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. The department went on to provide a standard list of BMPs that are recommended to minimize environmental impacts.		
North Dakota Department of Human Services	03/09/23	None received			
North Dakota Department of Transportation	03/09/23	None received			
North Dakota Department of Trust Lands-School/Surface Lands	03/09/23	Pending			ROW easement agreement pending
North Dakota Department of Trust Lands-Minerals Management	03/09/23	Pending			ROW easement agreement pending
North Dakota Energy Development Impact Office	03/09/23	None received			
North Dakota Forest Service	03/09/23	None received			

Basin Electric Power Cooperative

Roundup to Kummer Ridge 345-kV Transmission Project

Agency	Date Mailed	Agency Response Date	Agency Comments	Response to Agency	Response Summary
North Dakota Game and Fish Department-Conservation and Communication Division	03/09/23	03/31/23	Primary concern is possible disturbance of native prairie and wooded draws. Recommend avoiding native areas. Recommend overhead lines be marked with crossing waterbodies and wetlands. NWI indicates variety of wetland within the proposed project corridor. Steps should be taken to protect wetlands. Recommend aerial survey for raptor nests prior to construction and buffer be implemented around active nests.		
North Dakota Geological Survey	03/09/23	03/23/23	Review of Areas of Landslide maps indicates there are several landslide areas mapped along the proposed route. These areas should be avoided whenever possible.		
North Dakota Indian Affairs Commission	03/09/23	Pending			
North Dakota Industrial Commission-Pipeline Authority	03/09/23	None received			
North Dakota Labor Department	03/09/23	None received			
North Dakota Office of the Governor	03/09/23	None received			

Basin Electric Power Cooperative

Roundup to Kummer Ridge 345-kV Transmission Project

Agency	Date Mailed	Agency Response Date	Agency Comments	Response to Agency	Response Summary
North Dakota Parks and Recreation Department	03/09/23	04/26/23	Letter received from Kathy Duttonhefner. The NDPRD's authority and expertise covers properties that the NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); and rare plants and ecological communities established through the Natural Heritage Program. There are no properties that NDPRD owns leases or manages affected by the Project. The Project does not affect any properties protected under Section 6(f) of the LWCF. The National Heritage biological conservation database currently does not contain records of historical plants or animal species of concern or other significant ecological communities within the Project area.		
North Dakota Soil Conservation Committee-NDSU Extension	03/09/23	None received			

Basin Electric Power Cooperative

Roundup to Kummer Ridge 345-kV Transmission Project

Agency	Date Mailed	Agency Response Date	Agency Comments	Response to Agency	Response Summary
North Dakota State Water Commission	03/09/23	04/23/23	Response letter received from Steven Best, Planner III. There are no FEMA regulatory floodplains identified and/or mapped where this proposed project is to take place. No permits relative to the NFIP are required based on the current effective FIRM and State minimum standards. Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02.		
State Historical Society of North Dakota- Archaeology Historic Preservation Office	03/09/23 08/31/23	04/12/23	Requested review of Class I Literature Review. List of sites that are to be avoided. If cannot be avoided further testing/evaluation is needed.	Class III cultural inventory report was submitted on Aug. 31, 2023.	
Southwest Water Authority (SWA)	03/09/23	03/17/23	SWA requests that all appurtenances be placed as least 15 feet from SWA facilities. New construction planned and will be operational before 2024.		
Western Area Water Supply Authority	03/09/23	None received.			
Dunn County Commissioners	03/09/23	None received			
Dunn County Planning & Zoning Department	03/09/23	None received			

*Basin Electric Power Cooperative
 Roundup to Kummer Ridge 345-kV Transmission Project*

Agency	Date Mailed	Agency Response Date	Agency Comments	Response to Agency	Response Summary
Dunn County Weydahl Field Airport	03/09/23	None received			
Dunn County Weed Board	03/09/23	None received			
McKenzie County Commissioners	03/09/23	None received			
McKenzie County Planning & Zoning Department	03/09/23	None received			
McKenzie County Water Resources Board	03/09/23	None received			
McKenzie County Weed Board	03/09/23	None received			
Job Service of North Dakota	03/09/23	None received			
Watford City Municipal Airport	03/09/23	None received			

91st Missile Wing / Minot Air Force Base



Basin Electric Power Cooperative - Roundup to Kummer Ridge Transmission Line Project

WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil> Mon, Mar 27, 2023 at 9:27 AM
To: Chad Tucker <ctucker@west-inc.com>, "JOHNSON, BRUCE A CIV USAF AFGSC 5 CES/CENP" <bruce.johnson.25@us.af.mil>, "MUNOS, CY I CIV USAF AFGSC 91 MMXS/MMXSFK" <cy.munos@us.af.mil>, Todd Hartleben <thartleben@west-inc.com>

Mr. Tucker,

Thank you very much for reaching out to Minot AFB about Basin Electric's 345 kV Transmission Line Project, for the township, range and sections that were provided within the letter we do not have any intercontinental ballistic missiles and launch facilities exist within the Project area.

Section	Township	Range	County
3	145 N	95 N	Dunn
6, 7, 8, 16, 17, 21, 22, 27, 34	146 N	95 N	Dunn
19, 30, 31	147 N	95 N	Dunn
2, 11, 12, 13, 24	147 N	96 N	Dunn
6*, 7*	148 N	95 N	Dunn
1*, 12*, 13*, 24*, 25*, 35, 36	148 N	96 N	Dunn
6, 7, 18, 19, 20, 27, 28, 29, 33*, 34*	149 N	95 N	McKenzie
1	149 N	96 N	McKenzie
23, 25, 26, 36	150 N	96 N	McKenzie

Thank you very much and reaching out to Minot AFB.

sam

Sam Warren
Community Planner
5 CES/CENP
[445 Peacekeeper Place](#)
[Minot AFB, ND 58705](#)
DSN: 312-453-1969
Comm:701-723-1969

From: Chad Tucker <ctucker@west-inc.com>

Sent: Friday, March 24, 2023 5:16 PM

To: JOHNSON, BRUCE A CIV USAF AFGSC 5 CES/CENP <bruce.johnson.25@us.af.mil>; WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>; MUNOS, CY I CIV USAF AFGSC 91 MMXS/MMXSFK <cy.munos@us.af.mil>; Todd Hartleben <thartleben@west-inc.com>

Subject: [URL Verdict: Neutral][Non-DoD Source] Basin Electric Power Cooperative - Roundup to Kummer Ridge Transmission Line Project

Good Afternoon,

Western EcoSystems Technology, Inc. (WEST) has been retained by Basin Electric Power Cooperative (Basin) to provide environmental consulting support as well as prepare the North Dakota Public Service Commission Siting Application for the Roundup to Kummer Ridge 345kV Transmission Line Project (Project). The attached letter and map are being provided to inform you of the proposed Project and to request identification and/or confirmation that no intercontinental ballistic missiles and launch facilities exist within the Project area.

Please acknowledge receipt of this email and provide any comments you may have. Thank you.

--

Chad Tucker

Biologist - Project Manager

[Redacted]

[Quoted text hidden]

 **Basin Electric Power Cooperative_KR to RU 3.24.2023.pdf**
4032K

U.S. Department of Defense



Response Letter for the Roundup to Kummer Ridge 345-kV Transmission Line Project

Townes, Daniel W CTR OSD OUSD A-S (USA) <daniel.w.townes.ctr@mail.mil>
To: Chad Tucker <ctucker@west-inc.com>
Cc: "Beard, Robbin E CIV OSD OUSD A-S (USA)" <robbin.e.beard.civ@mail.mil>

Thu, May 18, 2023 at 5:25 PM

Good evening Mr. Tucker,

Attached is the Informal Review Response Letter for the Roundup to Kummer Ridge 345-kV Transmission Line Project.

Thank you for the opportunity to review your project.

Respectfully,

Dan Townes

Military Aviation and Installation Assurance Siting Clearinghouse

Office of the Assistant Secretary of Defense (Energy, Installations and Environment)

Desk: 571-372-8414 (*limited access*)

NIPR: daniel.w.townes.ctr@mail.mil

 **IR - Roundup to Kummer Ridge 345-kV Transmission Line Project - Response Letter.pdf**
190K



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

3400 DEFENSE PENTAGON
WASHINGTON, DC 20301-3400

ENERGY, INSTALLATIONS
AND ENVIRONMENT

May 18, 2023

Chad Tucker
Western EcoSystems Technology, Inc.
4007 State Street, Suite 109
Bismarck, ND 58503

Dear Mr. Tucker,

As requested, the Military Aviation and Installation Assurance Siting Clearinghouse coordinated within the Department of Defense (DoD) an informal review of the Roundup to Kummer Ridge 345-kV Transmission Line Project. The results of our review indicated that the transmission line project, located in McKenzie and Dunn Counties, North Dakota, as proposed, will have minimal impact on military operations conducted in the area.

Please note that this informal review by the DoD Military Aviation and Installation Assurance Siting Clearinghouse does not constitute an action under 49 United States Code Section 44718 and that the DoD is not bound by the conclusion arrived at under this informal review. To expedite our review in the Obstruction Evaluation Airport Airspace Analysis (OE/AAA) process, please add the project number 2023-04-T-DEV-21 in the comments section of the filing. If you have any questions, please contact me at robbin.e.beard.civ@mail.mil.

Sincerely,

A handwritten signature in blue ink that reads "Robbin Beard".

Robbin Beard
Deputy Director
Military Aviation and Installation
Assurance Siting Clearinghouse

Federal Aviation Administration
11/17/23



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21923-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 336-001
 Location: Killdeer, ND
 Latitude: 47-24-45.18N NAD 83
 Longitude: 102-46-00.63W
 Heights: 2334 feet site elevation (SE)
 110 feet above ground level (AGL)
 2444 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, spherical markers and red lights-Chapters 3(Marked),4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before December 17, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW., Washington, DC 20591. FAA encourages the use of email to ensure timely processing.

This determination becomes final on December 27, 2023 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Fred Souchet, at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21923-OE.

Signature Control No: 604040341-605008748

(DNH)

David Maddox

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2023-AGL-21923-OE

Abbreviations:

ft. - Feet/Foot

MSL - Mean Sea Level

AGL - Above Ground Level

AMSL -Above Mean Sea Level

RWY - runway

S - Straight in approach

IFR - Instrument Flight Rules

VFR- Visual Flight Rule

nm - nautical mile

The following proposed transmission towers:

2023-AGL-21923-OE, 2334/110 ft AGL/2444 ft AMSL.

2023-AGL-21924-OE, 2328/105 ft AGL/2433 ft AMSL.

2023-AGL-21925-OE, 2325/110 ft AGL/2435 ft AMSL.

2023-AGL-21926-OE, 2332/115 ft AGL/2447 ft AMSL.

2023-AGL-21927-OE, 2344/120 ft AGL/2464 ft AMSL.

2023-AGL-21928-OE, 2369/110 ft AGL/2479 ft AMSL.

2023-AGL-21930-OE, 2325/150 ft AGL/2475 ft AMSL.

located as follows:

2023-AGL-21923-OE, 1.29 NM, or 7837 ft.

2023-AGL-21924-OE, 1.38 NM, or 8371 ft.

2023-AGL-21925-OE, 1.48 NM, or 9002 ft.

2023-AGL-21926-OE, 1.62 NM, or 9829 ft.

2023-AGL-21927-OE, 1.78 NM, or 10817 ft.

2023-AGL-21928-OE, 1.94 NM, or 11795 ft.

2023-AGL-21930-OE, 2.21 NM, or 13432 ft.

Northeast of the Dunn County Weydahl (9Y1) Field in Killdeer, North Dakota. 9Y1 Field Elevation is 2,248 ft AMSL. The site elevation of this structure has been noted above.

The structure(s) height exceeds the obstruction standards of Title 14 of the Code of Federal Regulations, Part 77; Section 77.19(a) - a height exceeding 9Y1 Horizontal Surface as follows:

2023-AGL-21923-OE, by 45 ft

2023-AGL-21924-OE, by 34 ft

2023-AGL-21925-OE, by 36 ft

2023-AGL-21926-OE, by 48 ft

2023-AGL-21927-OE, by 65 ft

2023-AGL-21928-OE, by 76 ft

2023-AGL-21930-OE, by 2 ft

The submittal was not circularized for public aeronautical comment as internal FAA evaluation has found no substantial adverse effect on aeronautical operations or on the utility of the navigable airspace overlying the site. This does not affect the public's right to petition for review determinations regarding structures which exceed the subject obstruction standard.

Study for visual flight rules (VFR) effect necessitated viewing the obstruction surfaces at the airport from a purely visual standpoint. As any IFR effect had already been ruled out, the horizontal surface at the airport then had to be considered as if all runways had only visual approaches, resulting in a 5,000 ft. radius horizontal surface vice the 10,000 ft. radius horizontal surface considered up to this point. Looked at visually, at a distance at or greater than 7,837 ft from the nearest runway end would be beyond the lateral confines of the horizontal surface and within the lateral confines of the conical surface.

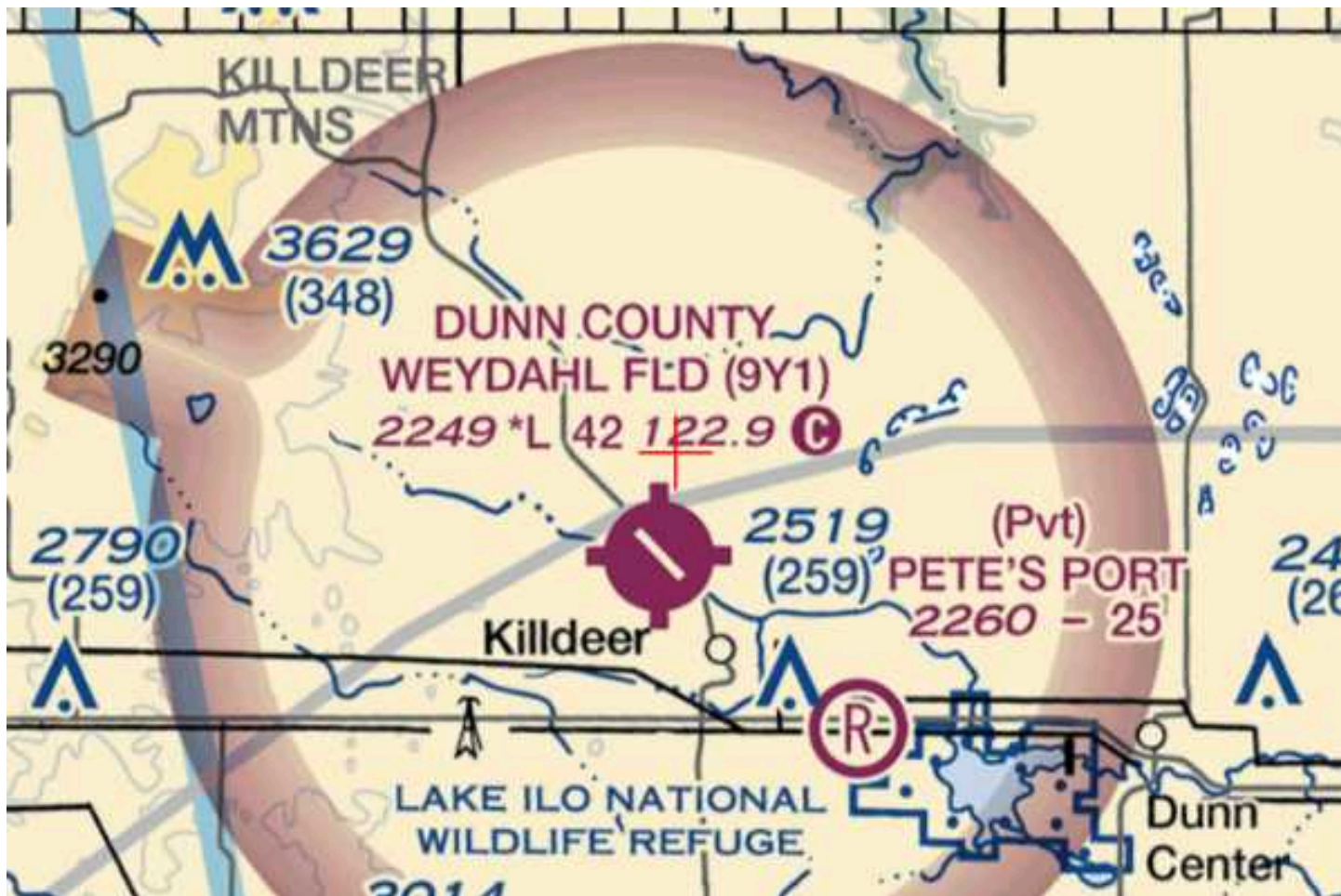
The structure would be below and would not penetrate the conical surface or any other obstruction surface at the airport, nor would it penetrate altitudes considered available for VFR en-route operations.

As a condition to this determination, the structure would be appropriately charted and obstruction lighted to assure aeronautical conspicuity.

Therefore, it is determined the proposed structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation or communication facilities and could not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the structure on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21924-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 336-002
 Location: Killdeer, ND
 Latitude: 47-24-50.60N NAD 83
 Longitude: 102-46-01.57W
 Heights: 2328 feet site elevation (SE)
 105 feet above ground level (AGL)
 2433 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, spherical markers and red lights-Chapters 3(Marked),4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before December 17, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW., Washington, DC 20591. FAA encourages the use of email to ensure timely processing.

This determination becomes final on December 27, 2023 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Fred Souchet, at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21924-OE.

Signature Control No: 604040342-605008751

(DNH)

David Maddox

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2023-AGL-21924-OE

Abbreviations:

ft. - Feet/Foot

MSL - Mean Sea Level

AGL - Above Ground Level

AMSL -Above Mean Sea Level

RWY - runway

S - Straight in approach

IFR - Instrument Flight Rules

VFR- Visual Flight Rule

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The following proposed transmission towers:

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2023-AGL-21925-OE, 2325/110 ft AGL/2435 ft AMSL.

2023-AGL-21926-OE, 2332/115 ft AGL/2447 ft AMSL.

2023-AGL-21927-OE, 2344/120 ft AGL/2464 ft AMSL.

2023-AGL-21928-OE, 2369/110 ft AGL/2479 ft AMSL.

2023-AGL-21930-OE, 2325/150 ft AGL/2475 ft AMSL.

located as follows:

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2023-AGL-21924-OE, 1.38 NM, or 8371 ft.

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2023-AGL-21928-OE, 1.94 NM, or 11795 ft.

2023-AGL-21930-OE, 2.21 NM, or 13432 ft.

Northeast of the Dunn County Weydahl (9Y1) Field in Killdeer, North Dakota. 9Y1 Field Elevation is 2,248 ft AMSL. The site elevation of this structure has been noted above.

The structure(s) height exceeds the obstruction standards of Title 14 of the Code of Federal Regulations, Part 77; Section 77.19(a) - a height exceeding 9Y1 Horizontal Surface as follows:

2023-AGL-21923-OE, by 45 ft

2023-AGL-21924-OE, by 34 ft

2023-AGL-21925-OE, by 36 ft

2023-AGL-21926-OE, by 48 ft

2023-AGL-21927-OE, by 65 ft

2023-AGL-21928-OE, by 76 ft

2023-AGL-21930-OE, by 2 ft

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Study for visual flight rules (VFR) effect necessitated viewing the obstruction surfaces at the airport from a purely visual standpoint. As any IFR effect had already been ruled out, the horizontal surface at the airport then had to be considered as if all runways had only visual approaches, resulting in a 5,000 ft. radius horizontal surface vice the 10,000 ft. radius horizontal surface considered up to this point. Looked at visually, at a distance at or greater than 7,837 ft from the nearest runway end would be beyond the lateral confines of the horizontal surface and within the lateral confines of the conical surface.

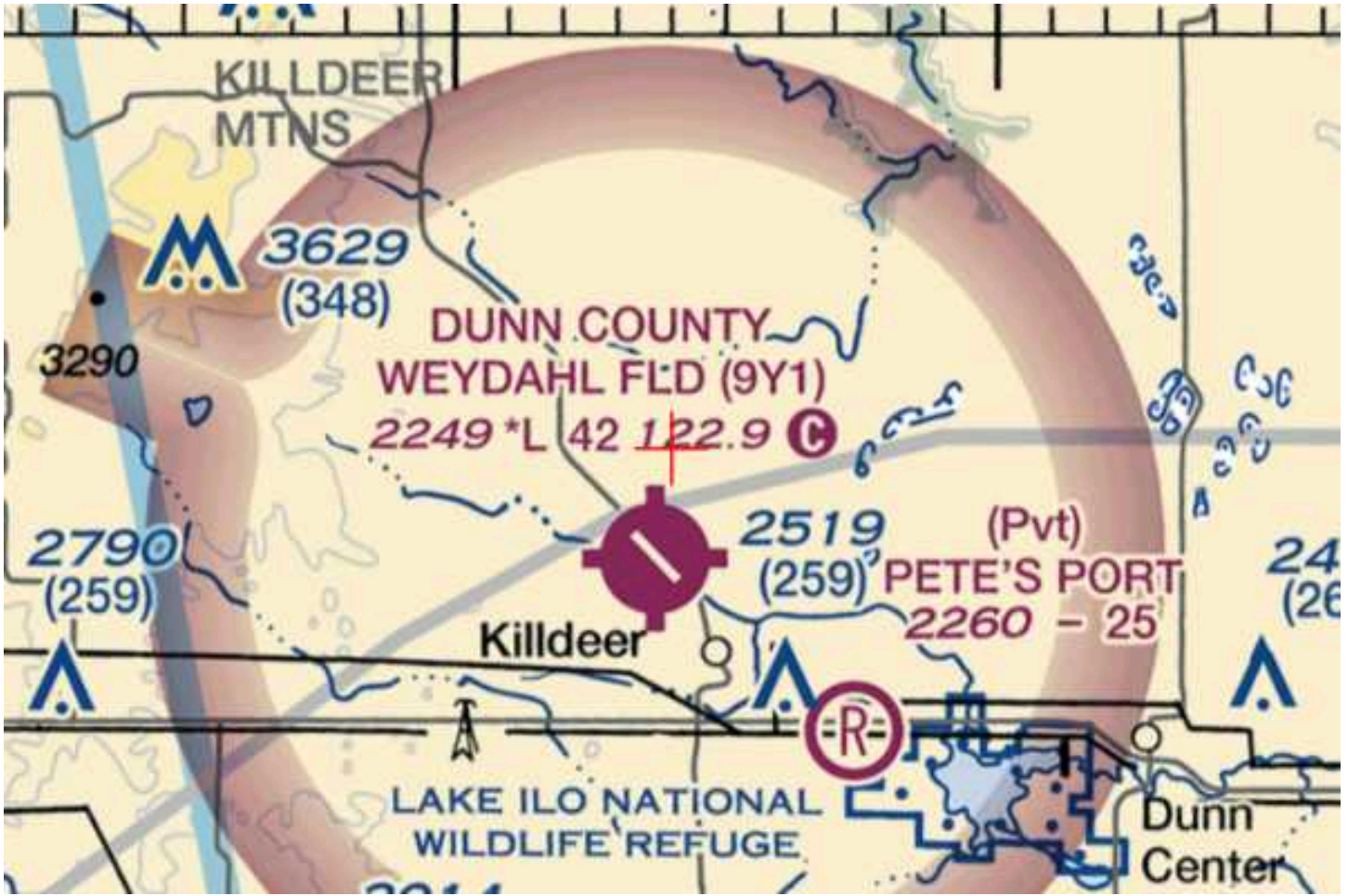
The structure would be below and would not penetrate the conical surface or any other obstruction surface at the airport, nor would it penetrate altitudes considered available for VFR en-route operations.

As a condition to this determination, the structure would be appropriately charted and obstruction lighted to assure aeronautical conspicuity.

Therefore, it is determined the proposed structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation or communication facilities and could not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the structure on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21925-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-003
 Location: Killdeer, ND
 Latitude: 47-24-57.36N NAD 83
 Longitude: 102-46-08.32W
 Heights: 2325 feet site elevation (SE)
 110 feet above ground level (AGL)
 2435 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, spherical markers and red lights-Chapters 3(Marked),4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before December 17, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW., Washington, DC 20591. FAA encourages the use of email to ensure timely processing.

This determination becomes final on December 27, 2023 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Fred Souchet, at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21925-OE.

Signature Control No: 604040344-605008746

(DNH)

David Maddox

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2023-AGL-21925-OE

Abbreviations:

ft. - Feet/Foot

MSL - Mean Sea Level

AGL - Above Ground Level

AMSL -Above Mean Sea Level

RWY - runway

S - Straight in approach

IFR - Instrument Flight Rules

VFR- Visual Flight Rule

nm - nautical mile

The following proposed transmission towers:

2023-AGL-21923-OE, 2334/110 ft AGL/2444 ft AMSL.

2023-AGL-21924-OE, 2328/105 ft AGL/2433 ft AMSL.

2023-AGL-21925-OE, 2325/110 ft AGL/2435 ft AMSL.

2023-AGL-21926-OE, 2332/115 ft AGL/2447 ft AMSL.

2023-AGL-21927-OE, 2344/120 ft AGL/2464 ft AMSL.

2023-AGL-21928-OE, 2369/110 ft AGL/2479 ft AMSL.

2023-AGL-21930-OE, 2325/150 ft AGL/2475 ft AMSL.

located as follows:

2023-AGL-21923-OE, 1.29 NM, or 7837 ft.

2023-AGL-21924-OE, 1.38 NM, or 8371 ft.

2023-AGL-21925-OE, 1.48 NM, or 9002 ft.

2023-AGL-21926-OE, 1.62 NM, or 9829 ft.

2023-AGL-21927-OE, 1.78 NM, or 10817 ft.

2023-AGL-21928-OE, 1.94 NM, or 11795 ft.

2023-AGL-21930-OE, 2.21 NM, or 13432 ft.

Northeast of the Dunn County Weydahl (9Y1) Field in Killdeer, North Dakota. 9Y1 Field Elevation is 2,248 ft AMSL. The site elevation of this structure has been noted above.

The structure(s) height exceeds the obstruction standards of Title 14 of the Code of Federal Regulations, Part 77; Section 77.19(a) - a height exceeding 9Y1 Horizontal Surface as follows:

2023-AGL-21923-OE, by 45 ft

2023-AGL-21924-OE, by 34 ft

2023-AGL-21925-OE, by 36 ft

2023-AGL-21926-OE, by 48 ft

2023-AGL-21927-OE, by 65 ft

2023-AGL-21928-OE, by 76 ft

2023-AGL-21930-OE, by 2 ft

The submittal was not circularized for public aeronautical comment as internal FAA evaluation has found no substantial adverse effect on aeronautical operations or on the utility of the navigable airspace overlying the site. This does not affect the public's right to petition for review determinations regarding structures which exceed the subject obstruction standard.

Study for visual flight rules (VFR) effect necessitated viewing the obstruction surfaces at the airport from a purely visual standpoint. As any IFR effect had already been ruled out, the horizontal surface at the airport then had to be considered as if all runways had only visual approaches, resulting in a 5,000 ft. radius horizontal surface vice the 10,000 ft. radius horizontal surface considered up to this point. Looked at visually, at a distance at or greater than 7,837 ft from the nearest runway end would be beyond the lateral confines of the horizontal surface and within the lateral confines of the conical surface.

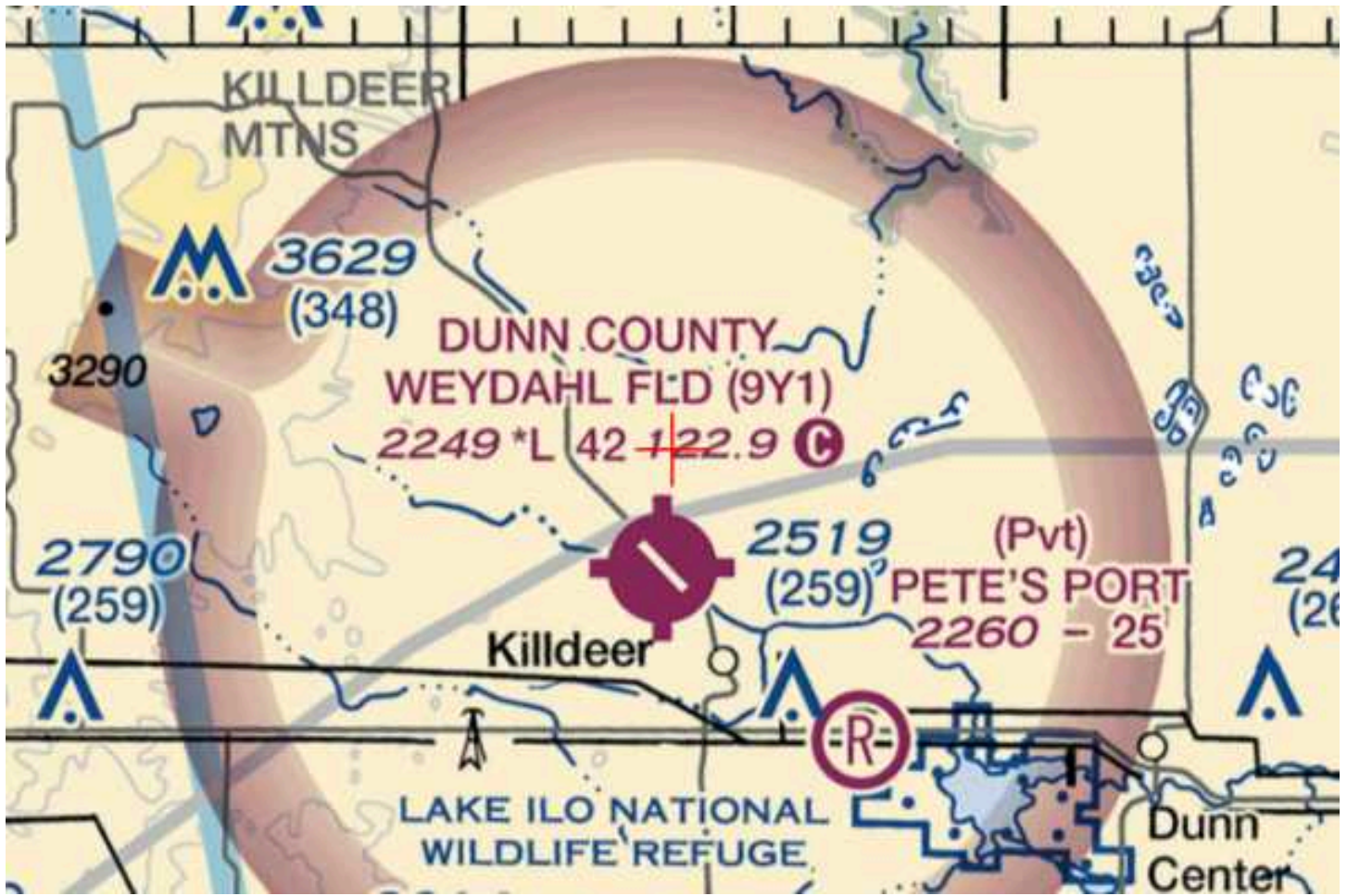
The structure would be below and would not penetrate the conical surface or any other obstruction surface at the airport, nor would it penetrate altitudes considered available for VFR en-route operations.

As a condition to this determination, the structure would be appropriately charted and obstruction lighted to assure aeronautical conspicuity.

Therefore, it is determined the proposed structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation or communication facilities and could not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the structure on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21926-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-004
 Location: Killdeer, ND
 Latitude: 47-25-05.55N NAD 83
 Longitude: 102-46-08.27W
 Heights: 2332 feet site elevation (SE)
 115 feet above ground level (AGL)
 2447 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, spherical markers and red lights-Chapters 3(Marked),4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before December 17, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW., Washington, DC 20591. FAA encourages the use of email to ensure timely processing.

This determination becomes final on December 27, 2023 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Fred Souchet, at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21926-OE.

Signature Control No: 604040346-605008749

(DNH)

David Maddox

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2023-AGL-21926-OE

Abbreviations:

ft. - Feet/Foot

MSL - Mean Sea Level

AGL - Above Ground Level

AMSL -Above Mean Sea Level

RWY - runway

S - Straight in approach

IFR - Instrument Flight Rules

VFR- Visual Flight Rule

nm - nautical mile

The following proposed transmission towers:

2023-AGL-21923-OE, 2334/110 ft AGL/2444 ft AMSL.

2023-AGL-21924-OE, 2328/105 ft AGL/2433 ft AMSL.

2023-AGL-21925-OE, 2325/110 ft AGL/2435 ft AMSL.

2023-AGL-21926-OE, 2332/115 ft AGL/2447 ft AMSL.

2023-AGL-21927-OE, 2344/120 ft AGL/2464 ft AMSL.

2023-AGL-21928-OE, 2369/110 ft AGL/2479 ft AMSL.

2023-AGL-21930-OE, 2325/150 ft AGL/2475 ft AMSL.

located as follows:

2023-AGL-21923-OE, 1.29 NM, or 7837 ft.

2023-AGL-21924-OE, 1.38 NM, or 8371 ft.

2023-AGL-21925-OE, 1.48 NM, or 9002 ft.

2023-AGL-21926-OE, 1.62 NM, or 9829 ft.

2023-AGL-21927-OE, 1.78 NM, or 10817 ft.

2023-AGL-21928-OE, 1.94 NM, or 11795 ft.

2023-AGL-21930-OE, 2.21 NM, or 13432 ft.

Northeast of the Dunn County Weydahl (9Y1) Field in Killdeer, North Dakota. 9Y1 Field Elevation is 2,248 ft AMSL. The site elevation of this structure has been noted above.

The structure(s) height exceeds the obstruction standards of Title 14 of the Code of Federal Regulations, Part 77; Section 77.19(a) - a height exceeding 9Y1 Horizontal Surface as follows:

2023-AGL-21923-OE, by 45 ft

2023-AGL-21924-OE, by 34 ft

2023-AGL-21925-OE, by 36 ft

2023-AGL-21926-OE, by 48 ft

2023-AGL-21927-OE, by 65 ft

2023-AGL-21928-OE, by 76 ft

2023-AGL-21930-OE, by 2 ft

The submittal was not circularized for public aeronautical comment as internal FAA evaluation has found no substantial adverse effect on aeronautical operations or on the utility of the navigable airspace overlying the site. This does not affect the public's right to petition for review determinations regarding structures which exceed the subject obstruction standard.

Study for visual flight rules (VFR) effect necessitated viewing the obstruction surfaces at the airport from a purely visual standpoint. As any IFR effect had already been ruled out, the horizontal surface at the airport then had to be considered as if all runways had only visual approaches, resulting in a 5,000 ft. radius horizontal surface vice the 10,000 ft. radius horizontal surface considered up to this point. Looked at visually, at a distance at or greater than 7,837 ft from the nearest runway end would be beyond the lateral confines of the horizontal surface and within the lateral confines of the conical surface.

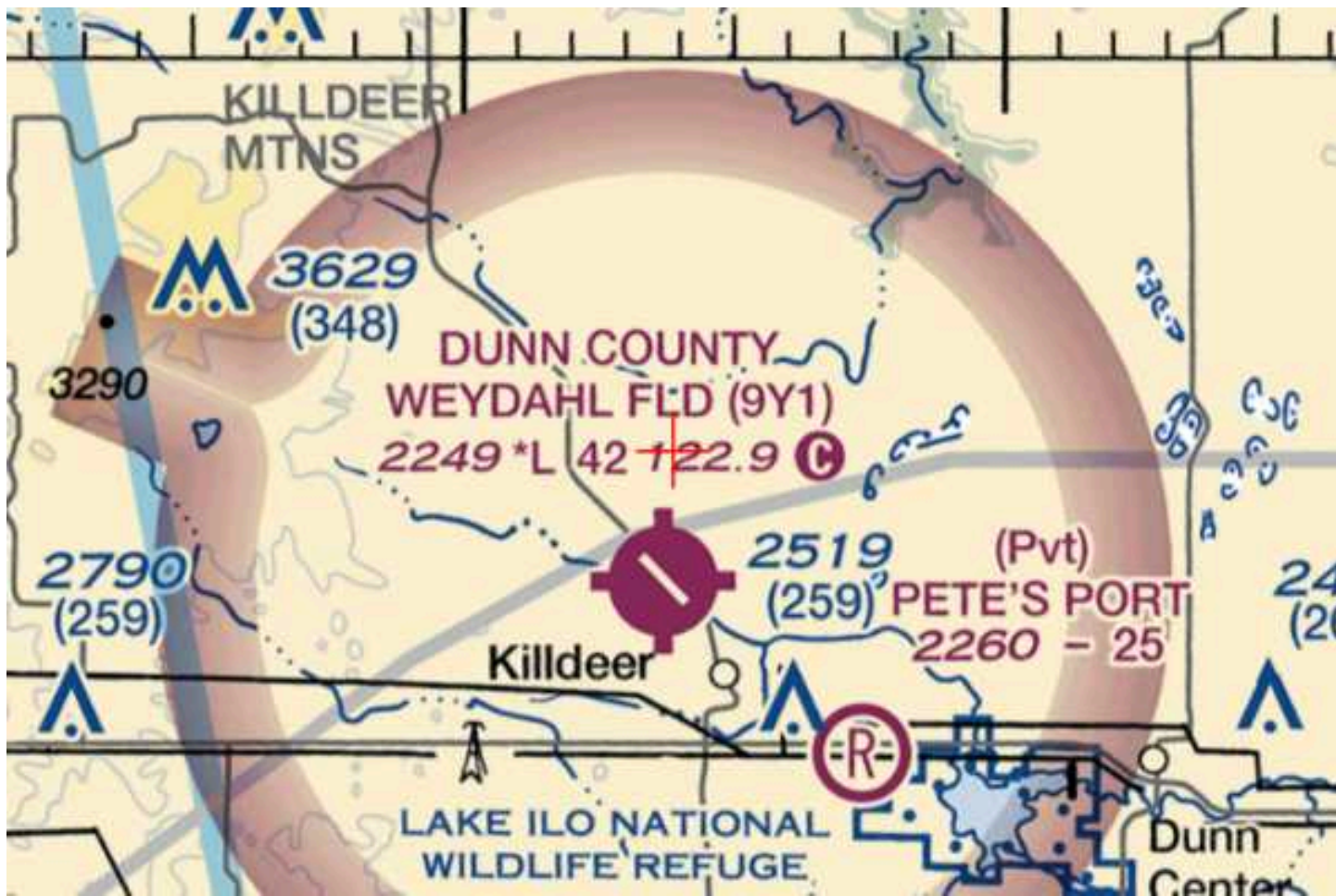
The structure would be below and would not penetrate the conical surface or any other obstruction surface at the airport, nor would it penetrate altitudes considered available for VFR en-route operations.

As a condition to this determination, the structure would be appropriately charted and obstruction lighted to assure aeronautical conspicuity.

Therefore, it is determined the proposed structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation or communication facilities and could not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the structure on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.





Mail Processing Center
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 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21928-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Transmission Line Tower 366-006
Location:	Killdeer, ND
Latitude:	47-25-24.99N NAD 83
Longitude:	102-46-08.15W
Heights:	2369 feet site elevation (SE)
	110 feet above ground level (AGL)
	2479 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, spherical markers and red lights-Chapters 3(Marked),4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before December 17, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW., Washington, DC 20591. FAA encourages the use of email to ensure timely processing.

This determination becomes final on December 27, 2023 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Fred Souchet, at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21928-OE.

Signature Control No: 604040353-605008752

(DNH)

David Maddox

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2023-AGL-21928-OE

Abbreviations:

ft. - Feet/Foot

MSL - Mean Sea Level

AGL - Above Ground Level

AMSL -Above Mean Sea Level

RWY - runway

S - Straight in approach

IFR - Instrument Flight Rules

VFR- Visual Flight Rule

nm - nautical mile

The following proposed transmission towers:

2023-AGL-21923-OE, 2334/110 ft AGL/2444 ft AMSL.

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2023-AGL-21925-OE, 2325/110 ft AGL/2435 ft AMSL.

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2023-AGL-21928-OE, 2369/110 ft AGL/2479 ft AMSL.

2023-AGL-21930-OE, 2325/150 ft AGL/2475 ft AMSL.

located as follows:

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2023-AGL-21926-OE, 1.62 NM, or 9829 ft.

2023-AGL-21927-OE, 1.78 NM, or 10817 ft.

2023-AGL-21928-OE, 1.94 NM, or 11795 ft.

2023-AGL-21930-OE, 2.21 NM, or 13432 ft.

Northeast of the Dunn County Weydahl (9Y1) Field in Killdeer, North Dakota. 9Y1 Field Elevation is 2,248 ft AMSL. The site elevation of this structure has been noted above.

The structure(s) height exceeds the obstruction standards of Title 14 of the Code of Federal Regulations, Part 77; Section 77.19(a) - a height exceeding 9Y1 Horizontal Surface as follows:

2023-AGL-21923-OE, by 45 ft

2023-AGL-21924-OE, by 34 ft

2023-AGL-21925-OE, by 36 ft

2023-AGL-21926-OE, by 48 ft

2023-AGL-21927-OE, by 65 ft

2023-AGL-21928-OE, by 76 ft

2023-AGL-21930-OE, by 2 ft

The submittal was not circularized for public aeronautical comment as internal FAA evaluation has found no substantial adverse effect on aeronautical operations or on the utility of the navigable airspace overlying the site. This does not affect the public's right to petition for review determinations regarding structures which exceed the subject obstruction standard.

Study for visual flight rules (VFR) effect necessitated viewing the obstruction surfaces at the airport from a purely visual standpoint. As any IFR effect had already been ruled out, the horizontal surface at the airport then had to be considered as if all runways had only visual approaches, resulting in a 5,000 ft. radius horizontal surface vice the 10,000 ft. radius horizontal surface considered up to this point. Looked at visually, at a distance at or greater than 7,837 ft from the nearest runway end would be beyond the lateral confines of the horizontal surface and within the lateral confines of the conical surface.

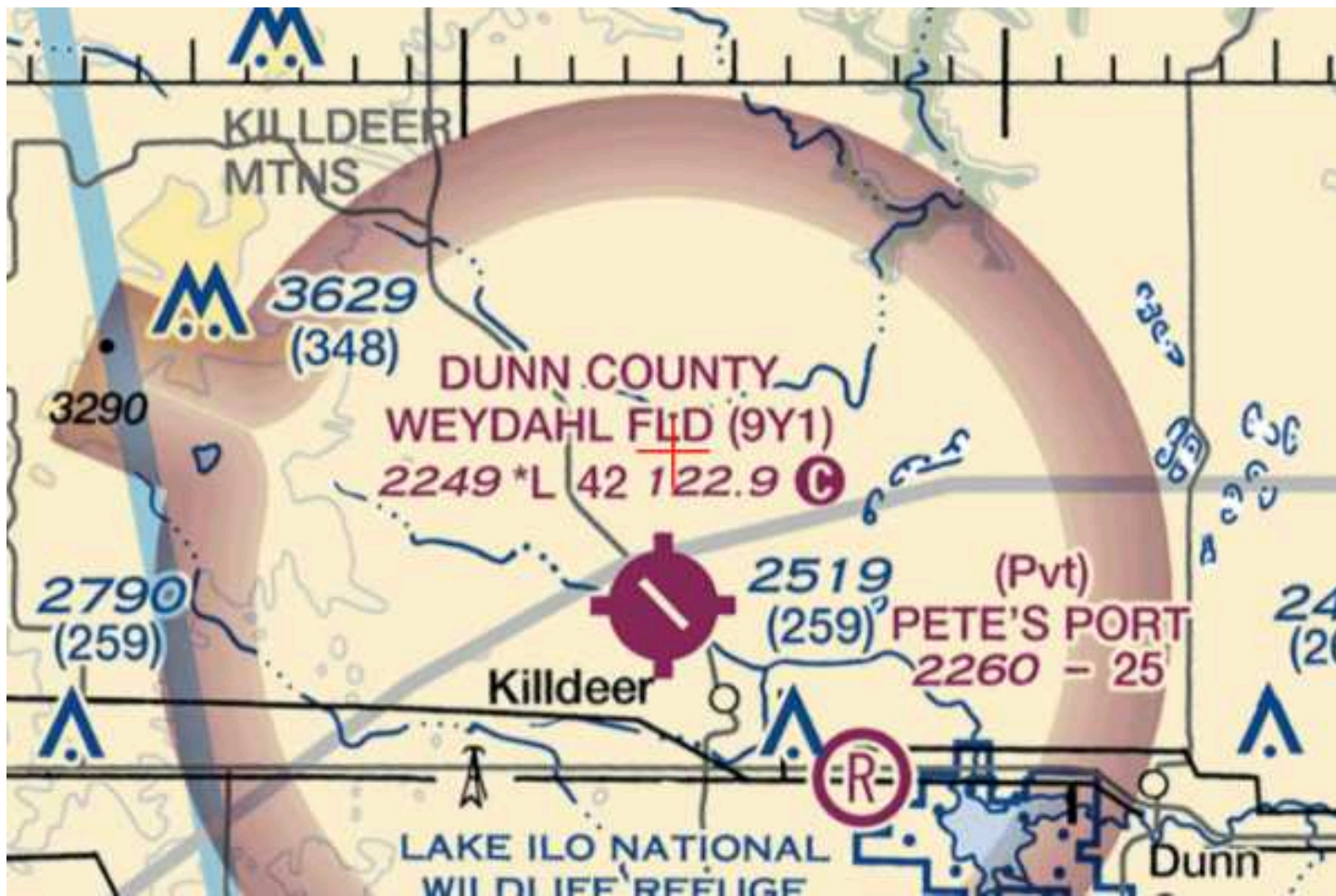
The structure would be below and would not penetrate the conical surface or any other obstruction surface at the airport, nor would it penetrate altitudes considered available for VFR en-route operations.

As a condition to this determination, the structure would be appropriately charted and obstruction lighted to assure aeronautical conspicuity.

Therefore, it is determined the proposed structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation or communication facilities and could not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the structure on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

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Mail Processing Center
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 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21927-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-005
 Location: Killdeer, ND
 Latitude: 47-25-15.32N NAD 83
 Longitude: 102-46-08.21W
 Heights: 2344 feet site elevation (SE)
 120 feet above ground level (AGL)
 2464 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, spherical markers and red lights-Chapters 3(Marked),4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before December 17, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW., Washington, DC 20591. FAA encourages the use of email to ensure timely processing.

This determination becomes final on December 27, 2023 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Fred Souchet, at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21927-OE.

Signature Control No: 604040351-605008750

(DNH)

David Maddox

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2023-AGL-21927-OE

Abbreviations:

ft. - Feet/Foot

MSL - Mean Sea Level

AGL - Above Ground Level

AMSL -Above Mean Sea Level

RWY - runway

S - Straight in approach

IFR - Instrument Flight Rules

VFR- Visual Flight Rule

nm - nautical mile

The following proposed transmission towers:

2023-AGL-21923-OE, 2334/110 ft AGL/2444 ft AMSL.

2023-AGL-21924-OE, 2328/105 ft AGL/2433 ft AMSL.

2023-AGL-21925-OE, 2325/110 ft AGL/2435 ft AMSL.

2023-AGL-21926-OE, 2332/115 ft AGL/2447 ft AMSL.

2023-AGL-21927-OE, 2344/120 ft AGL/2464 ft AMSL.

2023-AGL-21928-OE, 2369/110 ft AGL/2479 ft AMSL.

2023-AGL-21930-OE, 2325/150 ft AGL/2475 ft AMSL.

located as follows:

2023-AGL-21923-OE, 1.29 NM, or 7837 ft.

2023-AGL-21924-OE, 1.38 NM, or 8371 ft.

2023-AGL-21925-OE, 1.48 NM, or 9002 ft.

2023-AGL-21926-OE, 1.62 NM, or 9829 ft.

2023-AGL-21927-OE, 1.78 NM, or 10817 ft.

2023-AGL-21928-OE, 1.94 NM, or 11795 ft.

2023-AGL-21930-OE, 2.21 NM, or 13432 ft.

Northeast of the Dunn County Weydahl (9Y1) Field in Killdeer, North Dakota. 9Y1 Field Elevation is 2,248 ft AMSL. The site elevation of this structure has been noted above.

The structure(s) height exceeds the obstruction standards of Title 14 of the Code of Federal Regulations, Part 77; Section 77.19(a) - a height exceeding 9Y1 Horizontal Surface as follows:

2023-AGL-21923-OE, by 45 ft

2023-AGL-21924-OE, by 34 ft

2023-AGL-21925-OE, by 36 ft

2023-AGL-21926-OE, by 48 ft

2023-AGL-21927-OE, by 65 ft

2023-AGL-21928-OE, by 76 ft

2023-AGL-21930-OE, by 2 ft

The submittal was not circularized for public aeronautical comment as internal FAA evaluation has found no substantial adverse effect on aeronautical operations or on the utility of the navigable airspace overlying the site. This does not affect the public's right to petition for review determinations regarding structures which exceed the subject obstruction standard.

Study for visual flight rules (VFR) effect necessitated viewing the obstruction surfaces at the airport from a purely visual standpoint. As any IFR effect had already been ruled out, the horizontal surface at the airport then had to be considered as if all runways had only visual approaches, resulting in a 5,000 ft. radius horizontal surface vice the 10,000 ft. radius horizontal surface considered up to this point. Looked at visually, at a distance at or greater than 7,837 ft from the nearest runway end would be beyond the lateral confines of the horizontal surface and within the lateral confines of the conical surface.

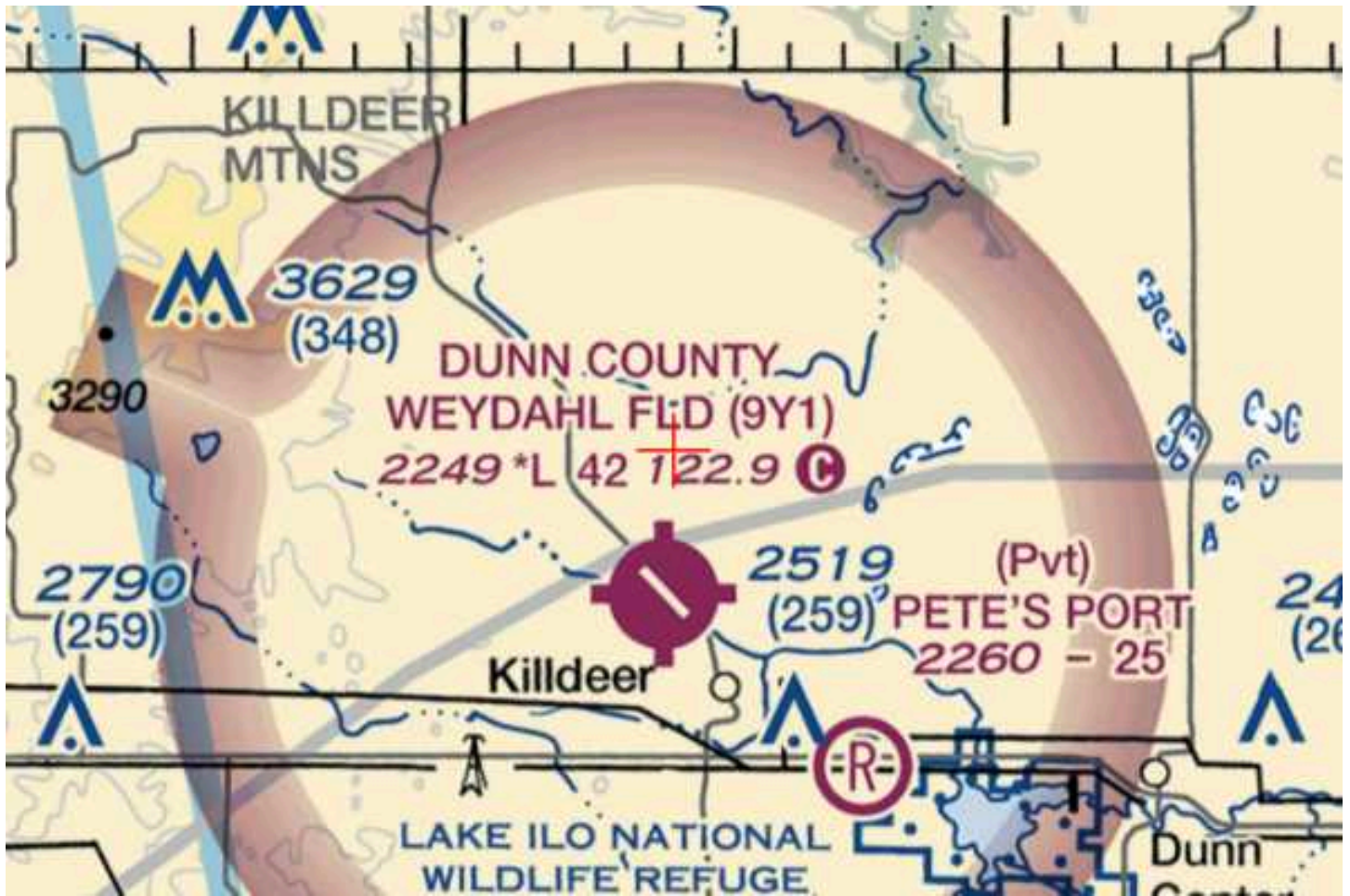
The structure would be below and would not penetrate the conical surface or any other obstruction surface at the airport, nor would it penetrate altitudes considered available for VFR en-route operations.

As a condition to this determination, the structure would be appropriately charted and obstruction lighted to assure aeronautical conspicuity.

Therefore, it is determined the proposed structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation or communication facilities and could not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the structure on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21929-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-007
 Location: Killdeer, ND
 Latitude: 47-25-34.99N NAD 83
 Longitude: 102-46-08.09W
 Heights: 2326 feet site elevation (SE)
 125 feet above ground level (AGL)
 2451 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21929-OE.

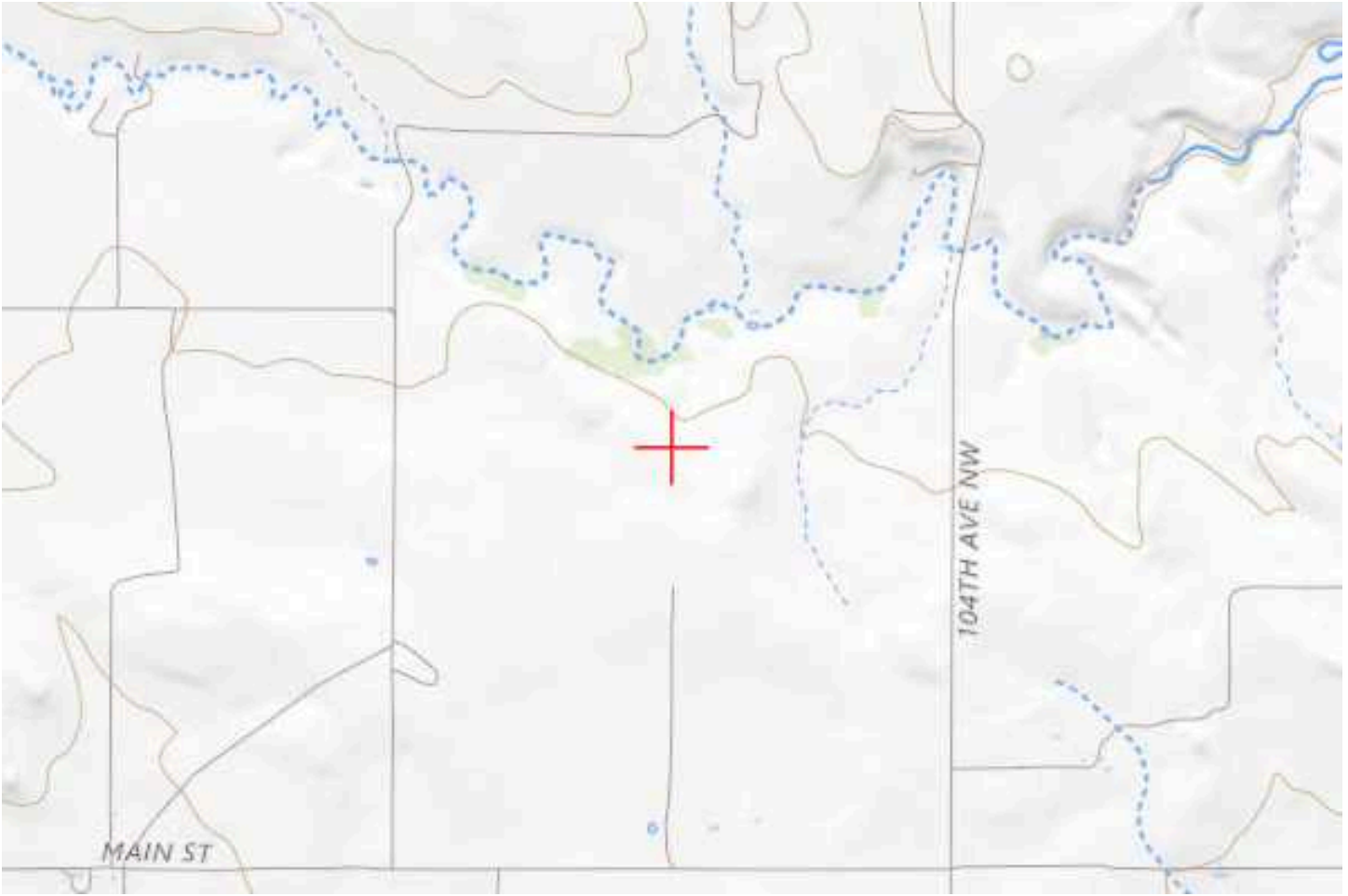
Signature Control No: 604040355-605008831

Fred Souchet
Specialist

(DNE)

Attachment(s)
Map(s)

TOPO Map for ASN 2023-AGL-21929-OE





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21930-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-008
 Location: Killdeer, ND
 Latitude: 47-25-41.35N NAD 83
 Longitude: 102-46-21.06W
 Heights: 2325 feet site elevation (SE)
 150 feet above ground level (AGL)
 2475 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, spherical markers and red lights-Chapters 3(Marked),4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before December 17, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW., Washington, DC 20591. FAA encourages the use of email to ensure timely processing.

This determination becomes final on December 27, 2023 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Fred Souchet, at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21930-OE.

Signature Control No: 604040359-605008747

(DNH)

David Maddox

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2023-AGL-21930-OE

Abbreviations:

ft. - Feet/Foot

MSL - Mean Sea Level

AGL - Above Ground Level

AMSL -Above Mean Sea Level

RWY - runway

S - Straight in approach

IFR - Instrument Flight Rules

VFR- Visual Flight Rule

nm - nautical mile

The following proposed transmission towers:

2023-AGL-21923-OE, 2334/110 ft AGL/2444 ft AMSL.

2023-AGL-21924-OE, 2328/105 ft AGL/2433 ft AMSL.

2023-AGL-21925-OE, 2325/110 ft AGL/2435 ft AMSL.

2023-AGL-21926-OE, 2332/115 ft AGL/2447 ft AMSL.

2023-AGL-21927-OE, 2344/120 ft AGL/2464 ft AMSL.

2023-AGL-21928-OE, 2369/110 ft AGL/2479 ft AMSL.

2023-AGL-21930-OE, 2325/150 ft AGL/2475 ft AMSL.

located as follows:

2023-AGL-21923-OE, 1.29 NM, or 7837 ft.

2023-AGL-21924-OE, 1.38 NM, or 8371 ft.

2023-AGL-21925-OE, 1.48 NM, or 9002 ft.

2023-AGL-21926-OE, 1.62 NM, or 9829 ft.

2023-AGL-21927-OE, 1.78 NM, or 10817 ft.

2023-AGL-21928-OE, 1.94 NM, or 11795 ft.

2023-AGL-21930-OE, 2.21 NM, or 13432 ft.

Northeast of the Dunn County Weydahl (9Y1) Field in Killdeer, North Dakota. 9Y1 Field Elevation is 2,248 ft AMSL. The site elevation of this structure has been noted above.

The structure(s) height exceeds the obstruction standards of Title 14 of the Code of Federal Regulations, Part 77; Section 77.19(a) - a height exceeding 9Y1 Horizontal Surface as follows:

2023-AGL-21923-OE, by 45 ft

2023-AGL-21924-OE, by 34 ft

2023-AGL-21925-OE, by 36 ft

2023-AGL-21926-OE, by 48 ft

2023-AGL-21927-OE, by 65 ft

2023-AGL-21928-OE, by 76 ft

2023-AGL-21930-OE, by 2 ft

The submittal was not circularized for public aeronautical comment as internal FAA evaluation has found no substantial adverse effect on aeronautical operations or on the utility of the navigable airspace overlying the site. This does not affect the public's right to petition for review determinations regarding structures which exceed the subject obstruction standard.

Study for visual flight rules (VFR) effect necessitated viewing the obstruction surfaces at the airport from a purely visual standpoint. As any IFR effect had already been ruled out, the horizontal surface at the airport then had to be considered as if all runways had only visual approaches, resulting in a 5,000 ft. radius horizontal surface vice the 10,000 ft. radius horizontal surface considered up to this point. Looked at visually, at a distance at or greater than 7,837 ft from the nearest runway end would be beyond the lateral confines of the horizontal surface and within the lateral confines of the conical surface.

The structure would be below and would not penetrate the conical surface or any other obstruction surface at the airport, nor would it penetrate altitudes considered available for VFR en-route operations.

As a condition to this determination, the structure would be appropriately charted and obstruction lighted to assure aeronautical conspicuity.

Therefore, it is determined the proposed structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation or communication facilities and could not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the structure on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21931-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-009
 Location: Killdeer, ND
 Latitude: 47-25-48.63N NAD 83
 Longitude: 102-46-35.91W
 Heights: 2299 feet site elevation (SE)
 150 feet above ground level (AGL)
 2449 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21931-OE.

Signature Control No: 604040362-605008827

Fred Souchet
Specialist

(DNE)

Attachment(s)
Map(s)





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21932-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-010
 Location: Killdeer, ND
 Latitude: 47-25-54.54N NAD 83
 Longitude: 102-46-45.25W
 Heights: 2294 feet site elevation (SE)
 95 feet above ground level (AGL)
 2389 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21932-OE.

Signature Control No: 604040366-605008825

Fred Souchet
Specialist

(DNE)

Attachment(s)
Map(s)





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21933-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-011
 Location: Killdeer, ND
 Latitude: 47-26-07.87N NAD 83
 Longitude: 102-46-45.19W
 Heights: 2284 feet site elevation (SE)
 145 feet above ground level (AGL)
 2429 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21933-OE.

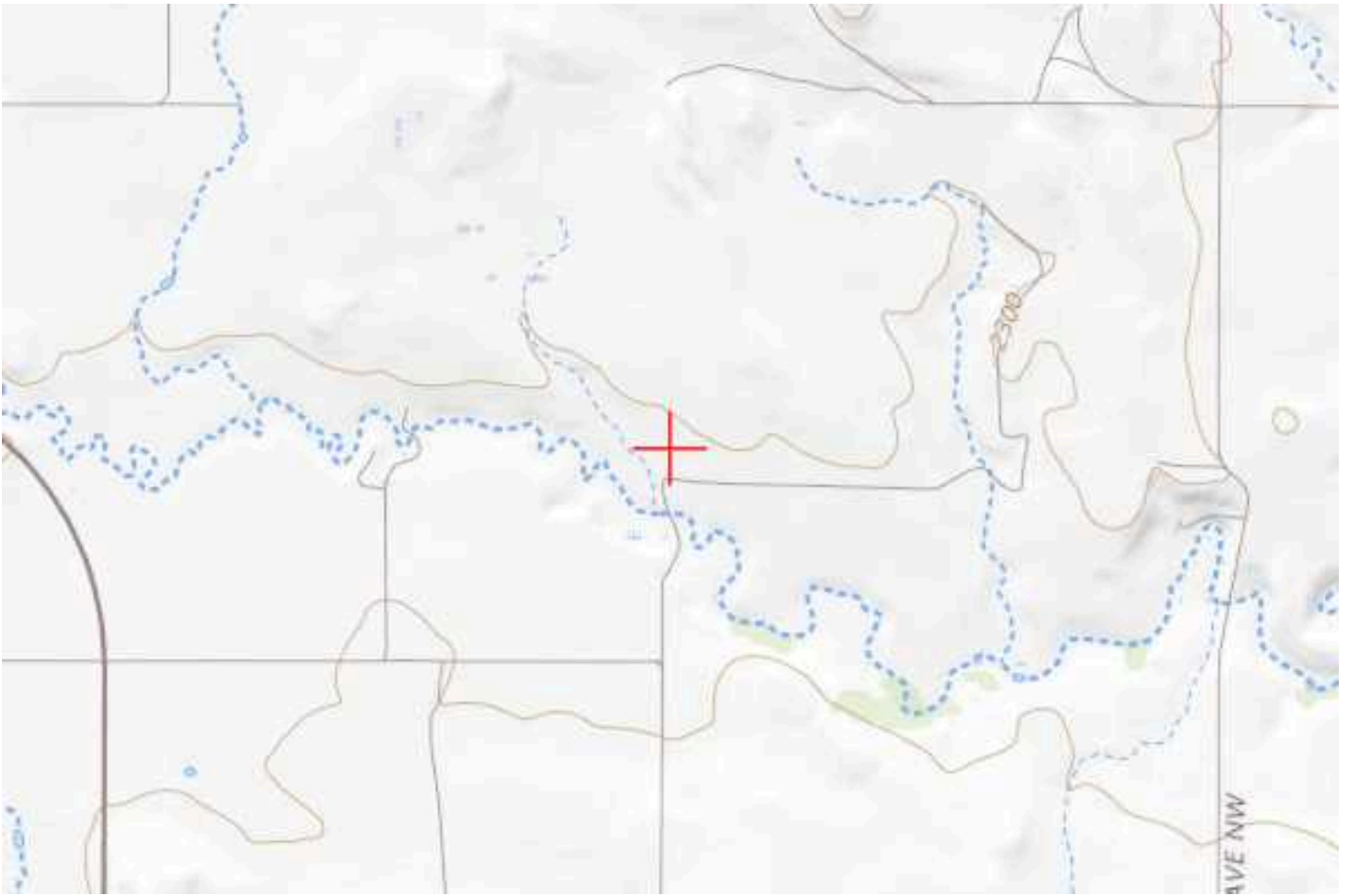
Signature Control No: 604040369-605008826

Fred Souchet
Specialist

(DNE)

Attachment(s)
Map(s)

TOPO Map for ASN 2023-AGL-21933-OE





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21934-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-012
 Location: Killdeer, ND
 Latitude: 47-26-19.12N NAD 83
 Longitude: 102-46-45.13W
 Heights: 2330 feet site elevation (SE)
 125 feet above ground level (AGL)
 2455 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

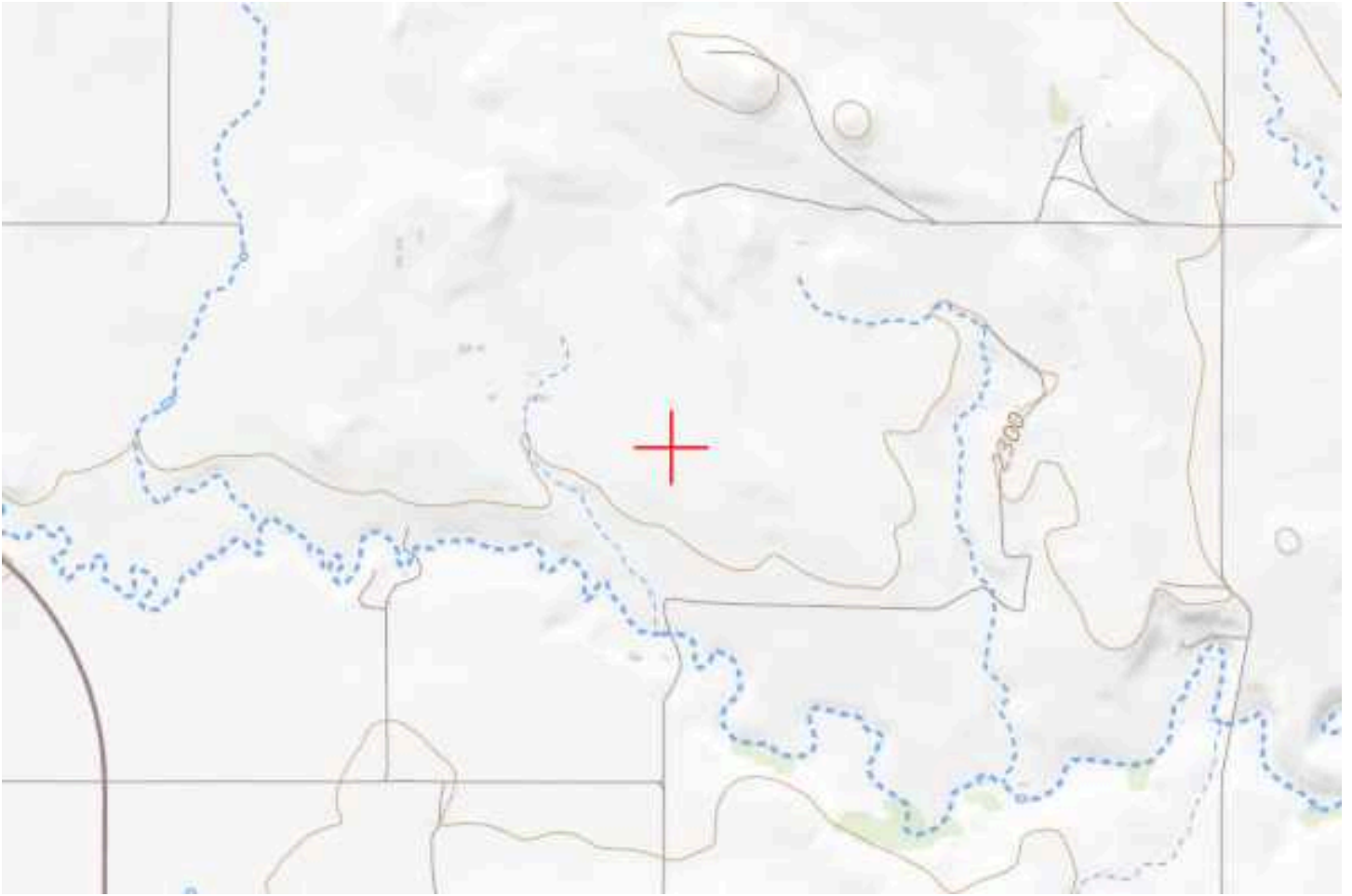
If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21934-OE.

Signature Control No: 604040371-605008829

Fred Souchet
Specialist

(DNE)

Attachment(s)
Map(s)





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21935-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-013
 Location: Killdeer, ND
 Latitude: 47-26-31.46N NAD 83
 Longitude: 102-46-45.07W
 Heights: 2346 feet site elevation (SE)
 125 feet above ground level (AGL)
 2471 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

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This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21935-OE.

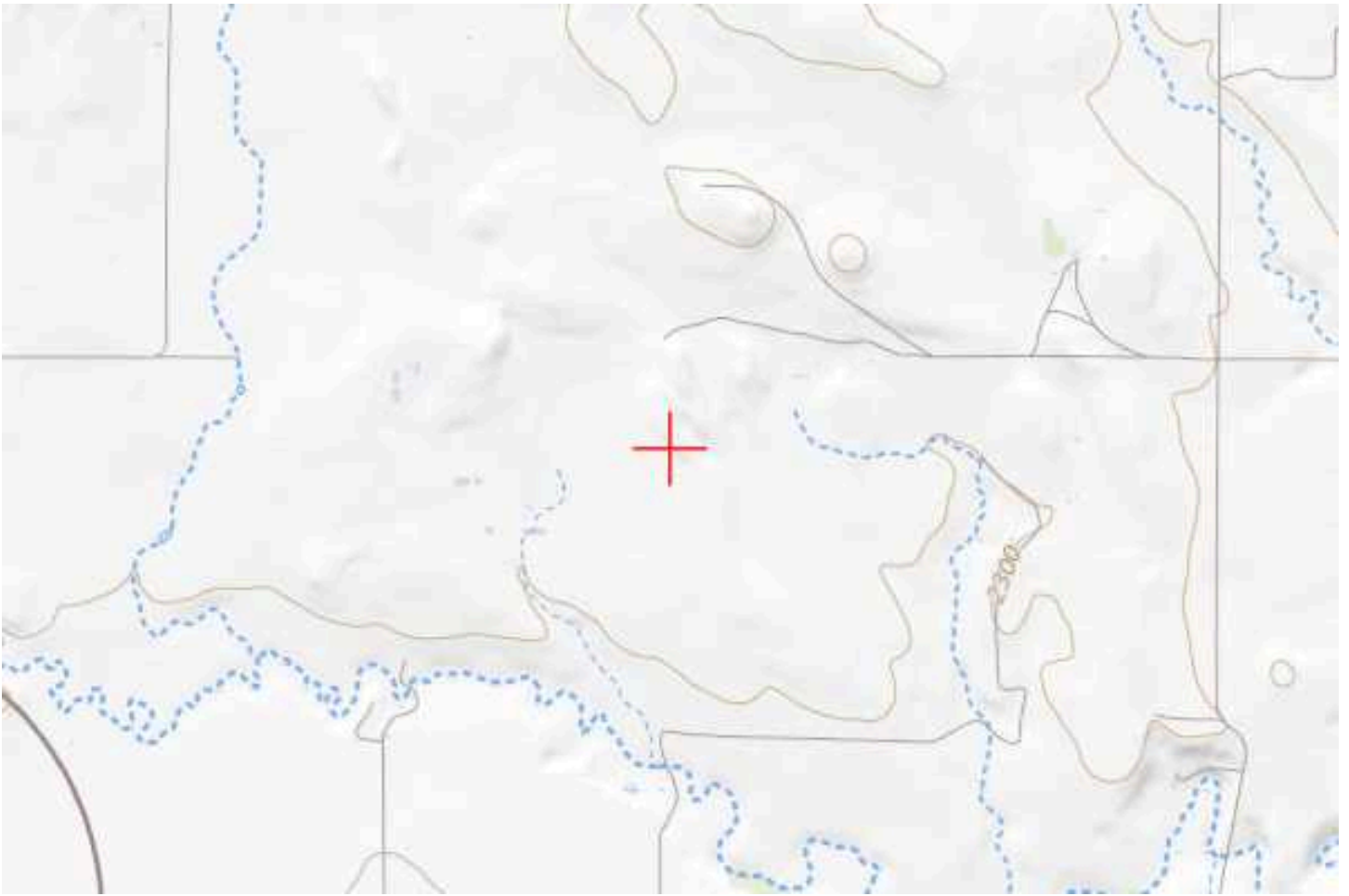
Signature Control No: 604040373-605008830

Fred Souchet
Specialist

(DNE)

Attachment(s)

Map(s)





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21936-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-014
 Location: Killdeer, ND
 Latitude: 47-26-41.62N NAD 83
 Longitude: 102-46-45.02W
 Heights: 2352 feet site elevation (SE)
 135 feet above ground level (AGL)
 2487 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21936-OE.

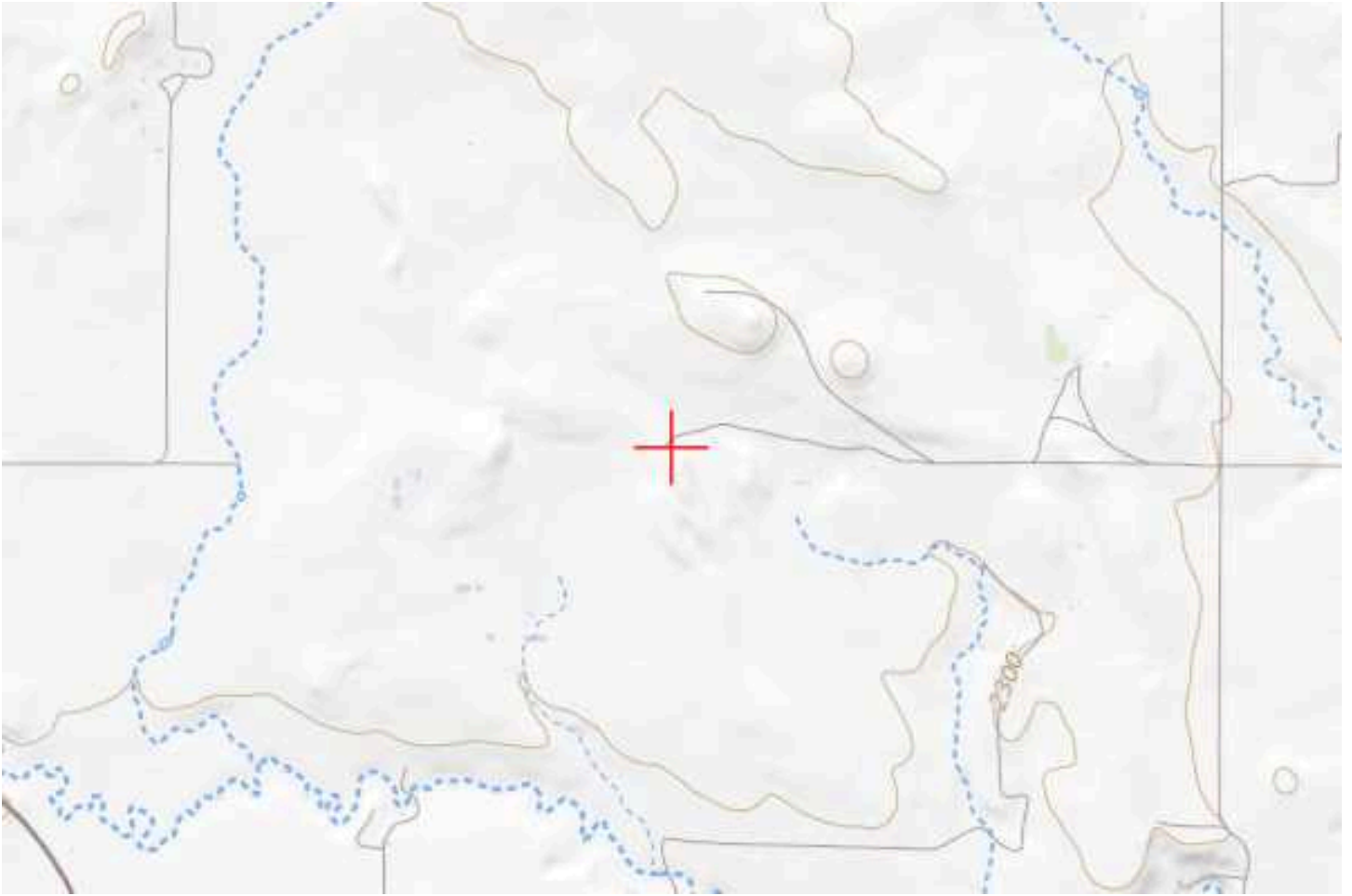
Signature Control No: 604040374-605008824

Fred Souchet
Specialist

(DNE)

Attachment(s)

Map(s)





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-21937-OE

Issued Date: 11/17/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 366-015
 Location: Killdeer, ND
 Latitude: 47-26-54.55N NAD 83
 Longitude: 102-46-44.96W
 Heights: 2394 feet site elevation (SE)
 120 feet above ground level (AGL)
 2514 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 05/17/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

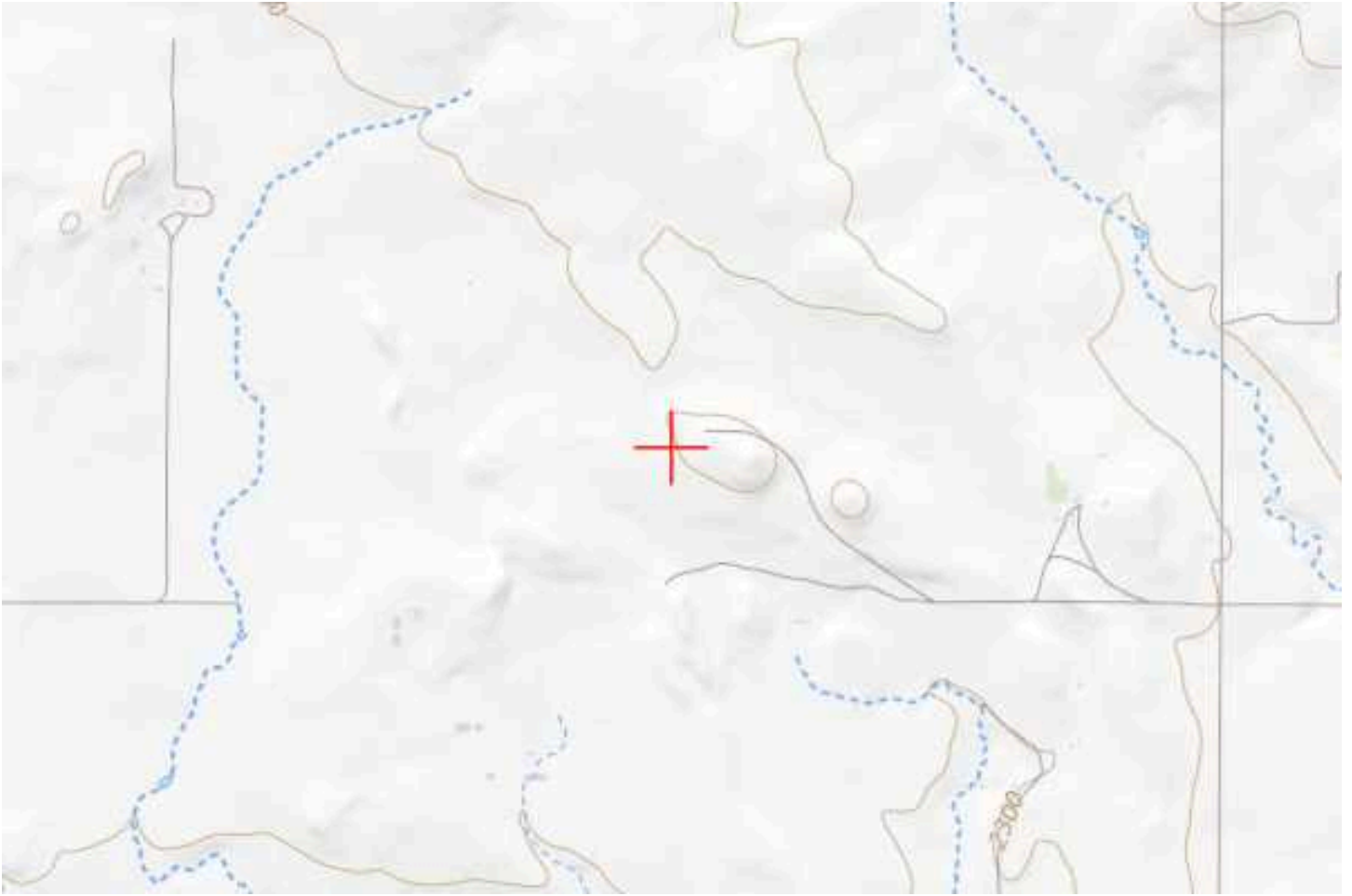
If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-21937-OE.

Signature Control No: 604040376-605008828

Fred Souchet
Specialist

(DNE)

Attachment(s)
Map(s)



Federal Aviation Administration
12/05/23



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2023-AGL-22728-OE
 Prior Study No.
 2023-AGL-21923-OE

Issued Date: 12/05/2023

Steven Mundahl
 Basin Electric Power Cooperative
 1717 E Interstate Ave
 Bismarck, ND 58503

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Transmission Line Tower 336-001
 Location: Killdeer, ND
 Latitude: 47-24-45.18N NAD 83
 Longitude: 102-46-00.63W
 Heights: 2334 feet site elevation (SE)
 80 feet above ground level (AGL)
 2414 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, marked-Chapters 3(Marked)&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 06/05/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before January 04, 2024. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW., Washington, DC 20591. FAA encourages the use of email to ensure timely processing.

This determination becomes final on January 14, 2024 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Fred Souchet, at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-22728-OE.

Signature Control No: 605408510-606335750

(DNH)

David Maddox

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2023-AGL-22728-OE

9Y1- DUNN COUNTY WEYDAHL FLD

ft. - Feet/Foot

MSL - Mean Sea Level

AGL - Above Ground Level

AMSL -Above Mean Sea Level

RWY - runway

S - Straight in approach

IFR - Instrument Flight Rules

VFR- Visual Flight Rule

nm - nautical mile

NW - Northwest

The proposed studies 2023-AGL-22728-OE through 2023-AGL-22734-OE submitted by Basin Electric Power Cooperative for the following transmission tower line:

2023-AGL-22728-OE 80 ft AGL located approximately 1.29 NM, NW of 9Y1.

2023-AGL-22729-OE 90 ft AGL located approximately 1.38 NM, NW of 9Y1.

2023-AGL-22730-OE 96 ft AGL located approximately 1.48 NM, NW of 9Y1.

2023-AGL-22731-OE 96 ft AGL located approximately 1.66 NM, NW of 9Y1.

2023-AGL-22732-OE 91 ft AGL located approximately 1.84 NM, NW of 9Y1.

2023-AGL-22733-OE 87 ft AGL located approximately 1.97 NM, NW of 9Y1.

2023-AGL-22734-OE 133 ft AGL located approximately 2.11 NM, NW of 9Y1.

9Y1 Field Elevation is 2,248 ft above mean sea level (AMSL). The site elevation of the proposed structures is as follows:

2023-AGL-22728-OE, Site Elevation - 2334 ft MSL

2023-AGL-22729-OE, Site Elevation - 2338 ft MSL

2023-AGL-22730-OE, Site Elevation - 2325 ft MSL

2023-AGL-22731-OE, Site Elevation - 2334 ft MSL

2023-AGL-22732-OE, Site Elevation - 2349 ft MSL

2023-AGL-22733-OE, Site Elevation - 2362 ft MSL

2023-AGL-22734-OE, Site Elevation - 2326 ft MSL

The structure height exceeds the obstruction standards of Title 14 of the Code of Federal Regulations, Part 77 as follows:

Section 77.19(a) - a height exceeding the 9Y1 Horizontal Surface:

2023-AGL-22728-OE, by 15 ft

2023-AGL-22729-OE, by 19 ft

2023-AGL-22730-OE, by 22 ft

2023-AGL-22731-OE, by 31 ft

2023-AGL-22732-OE, by 41 ft

The structure height exceeds the obstruction standards of Title 14 Code of Federal Regulations (CFR) Part 77, Section 77.19(b) - A height exceeding the conical surface which extends outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 ft as follows:

2023-AGL-22733-OE, by 37 ft

2023-AGL-22734-OE, by 8 ft

The submittal was not circularized for public aeronautical comment as internal FAA evaluation has found no substantial adverse effect on aeronautical operations or on the utility of the navigable airspace overlying the site. This does not affect the public's right to petition for review determinations regarding structures which exceed the subject obstruction standard.

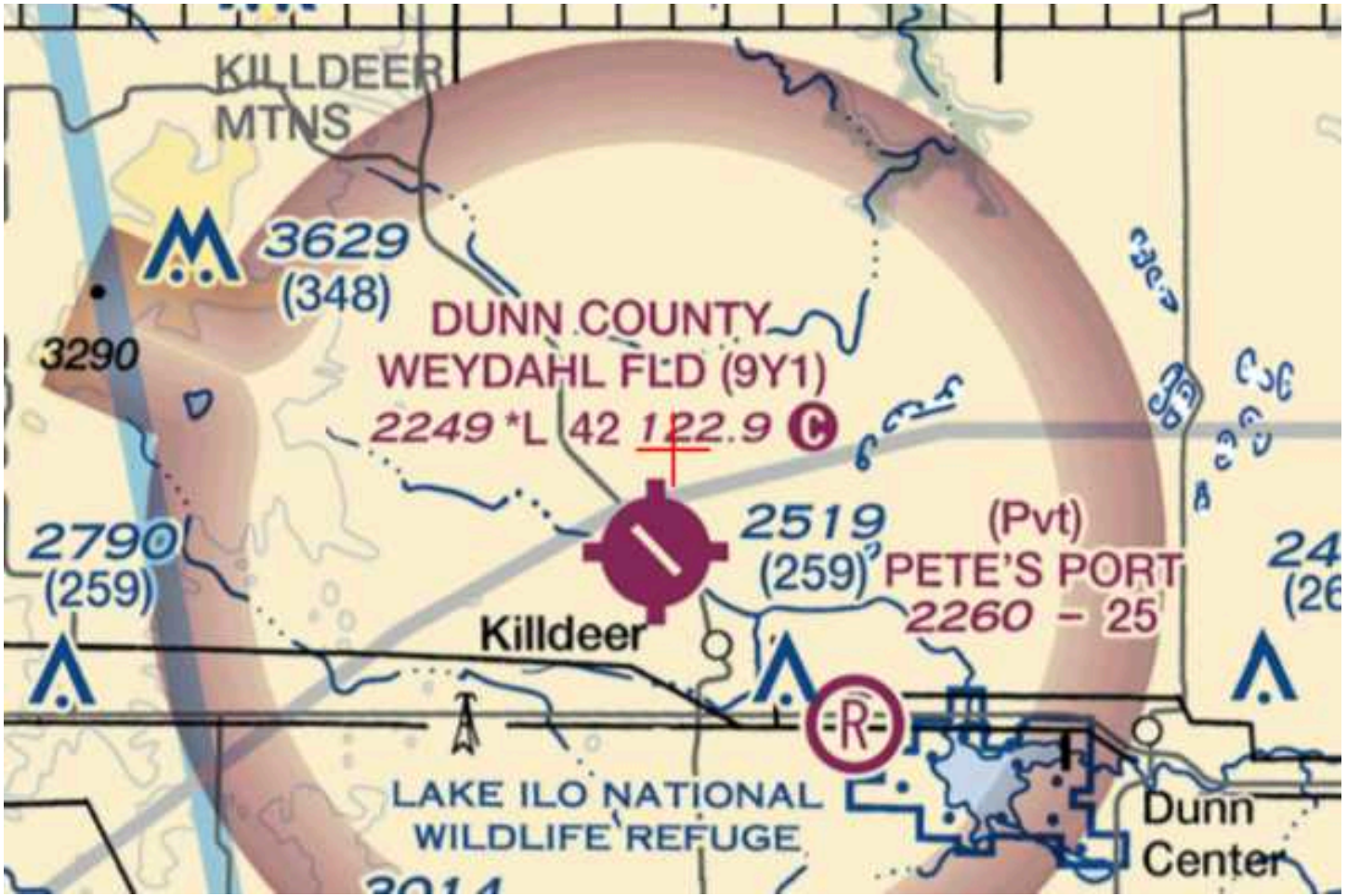
Study for visual flight rules (VFR) effect necessitated viewing the obstruction surfaces at the airport from a purely visual standpoint. As any IFR effect had already been ruled out, the horizontal surface at the airport then had to be considered as if all runways had only visual approaches, resulting in a 5,000 ft. radius horizontal surface vice the 10,000 ft. radius horizontal surface considered up to this point. Looked at visually, at a distance of 7,837 ft (or greater) from the nearest runway end would be beyond the lateral confines of the horizontal surface and within the lateral confines of the conical surface. However, the structure would be below and would not penetrate the conical surface or any other obstruction surface at the airport, nor would it penetrate altitudes considered available for VFR en-route operations.

As a condition to this determination, the structure would be appropriately charted and obstruction lighted to assure aeronautical conspicuity.

Therefore, it is determined the proposed structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation or communication facilities and could not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the structure on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.



Grand Forks Air Force Base

U.S. Fish and Wildlife Service
North Dakota Ecological Services Field Office



ENVIRONMENTAL & STATISTICAL CONSULTANTS

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

March 28, 2023

Supervisor
 U.S. Fish and Wildlife Service
 North Dakota Ecological Services-Field Office
 3425 Miriam Ave.
 Bismarck, ND 58501-7926

**RE: Roundup to Kummer Ridge 345-KV Transmission Line Project
 Basin Electric Power Cooperative**

Dear Sir or Madam,

Basin Electric Power Cooperative (Basin Electric) is proposing to develop the Roundup to Kummer Ridge 345-kV Transmission Line Project (Project). Basin Electric plans to submit a consolidated application for a Certificate of Corridor Compatibility and Transmission Facility Route Permit for the Project to the North Dakota Public Service Commission (Commission). Construction would commence in 2nd quarter 2024. The project would provide redundancy and reliability for the electrical transmission system servicing the region.

The Project would be approximately 32.5 miles long and connect the existing Kummer Ridge Substation, located 0.7 miles southeast of Johnsons Corner, to the existing Roundup Substation, located 2.8 miles north of Killdeer, North Dakota. The Project would be located in McKenzie and Dunn counties. A portion of the project would be located on the Fort Berthold Indian Reservation (FBIR), for which Basin Electric is applying for separate authorization(s) from the Bureau of Indian Affairs. Depending on final route alignment, Bureau of Land Management tracts may be crossed by the Project or temporary access roads. Legal locations for the project are as follows.

Section	Township	Range	County
3	145 N	95 N	Dunn
6, 7, 8, 16, 17, 21, 22, 27, 34	146 N	95 N	Dunn
19, 30, 31	147 N	95 N	Dunn
2, 11, 12, 13, 24	147 N	96 N	Dunn
6*, 7*	148 N	95 N	Dunn
1*, 12*, 13*, 24*, 25*, 35, 36	148 N	96 N	Dunn
6, 7, 18, 19, 20, 27, 28, 29, 33*, 34*	149 N	95 N	McKenzie
1	149 N	96 N	McKenzie
23, 25, 26, 36	150 N	96 N	McKenzie

* Route crosses FBIR managed lands

The transmission line would be constructed using either single-pole or H-frame self-supporting structures. Typical transmission structures would range in height from 70 to 115 feet, with span distances ranging from approximately 350 feet to 1,100 feet depending on topography. Taller structures would be used for crossing existing distribution/transmission lines and where difficult terrain exists. The standard right-of-way (ROW) width would be 150 feet wide. ROW widths up to 350 feet would be needed for significantly longer spans (>1,300 feet).

The Project would include new construction and new right-of-way for approximately 21.0 miles. The Project would parallel an existing transmission line(s) for approximately 11.5 miles.

On March 7, 2023, WEST conducted a web-based consultation using USFWS's IPaC system. The species addressed in this analysis are based upon results of the Project specific query of the IPaC system.

Federally Listed Species Analysis:

The results of the search of the USFWS's IPaC system found the following:

- Northern long-eared bat (*Myotis septentrionalis*) – endangered
- Piping plover (*Charadrius melodus*) – threatened
- Red knot (*Calidris canutus rufa*) –threatened
- Dakota Skipper (*Hesperia dacotae*) – threatened
- Whooping crane (*Grus americana*) – endangered

Northern long-eared bat:

The northern long-eared bat (NLEB) roosts underneath bark, in cavities, or in crevices of both live and dead trees. Populations have also been found in cool environments such as caves and mines and prefer to spend winter hibernating in locations with high humidity and no air currents. Breeding females will congregate and form colonies in May to late July for pup rearing. White-nose syndrome (WNS) is the predominant threat to the northern long-eared bat. North Dakota is included in the current extent of WNS zone.

The rule reclassifying the NLEB from threatened to endangered was published in the Federal Register November 30, 2022 and the reclassification becomes effective on March 31, 2023. At this time, the Project will operate under the consensus that the NLEB is listed as endangered and will abide by the conservation tools and guidance once they are published.

Potential summer roosting and winter hibernaculum areas may be present within the Survey Corridor, although there are currently no known bat hibernacula near the proposed Project in either Dunn or McKenzie counties (NDGF correspondence March 2023). The Project will follow upcoming measures related to tree clearing and construction planned to be published by the USFWS to minimize impacts to the NLEB.

Piping plover

The piping plover is associated with shorelines along small alkaline lakes, large reservoir beaches, and river islands and adjacent sand pits. Breeding birds select wide beaches with highly clumped vegetation covering less than 25 percent of the area. Breeding season in North Dakota occurs mid-April through August. Designated critical habitat for the piping plover is approximately 0.7 miles east of the Project. Desktop analysis concludes that with exception of the Little Missouri River, suitable habitat is unlikely to be present within the Survey Corridor. Basin Electric will place bird diverter markers on the entirety of the Project.

Red knot

The red knot migrates between breeding grounds in Canada and wintering grounds in South America. A significant factor threatening the red knot is destruction and modification of its habitat due to beach erosion and shoreline protection and stabilization projects. Migratory behavior and habitat requirements of this species are poorly understood particularly for those populations utilizing the midcontinent flyways. Inland stopovers include the Mississippi Valley, Great Lakes, and Great Plains. Desktop analysis has concluded that suitable habitat for the species is unlikely to be impacted by the Project. Basin Electric will place bird diverter markers on the entirety of the Project.

Whooping crane

The whooping crane is a large-bodied marsh species that breeds primarily in Canada and winters in south Texas along the Gulf of Mexico. This species has been closely studied and monitored in recent years due to its limited population. North Dakota is located within the migratory route for the species, providing roosting and feeding opportunities during migration. This species prefers larger wetland complexes for roosting habitat, typically using adjacent uplands for foraging opportunities.

Precautionary measures will be implemented if whooping cranes are sighted in or near the Project area during construction. Basin will voluntarily suspend heavy equipment operation activities and notify the USFWS should a whooping crane be spotted within 0.5 mile of the Project area. Heavy equipment activities will resume upon the departure of the individual(s). To minimize the chance of bird strikes, flight divers will be used along the entire line. Once the Project has been constructed and disturbed areas restored, the Project would largely resemble the surrounding landscape.

Dakota skipper

The Dakota skipper is a diminutive butterfly of the prairie. The species is an obligate resident of high-quality prairie grasslands whose range includes the prairies of Canada in Manitoba and Saskatchewan, and North Dakota, South Dakota, and Minnesota. The species is native to these areas (USFWS, 2019). The historic range may have previously extended south to include portions of Illinois and Iowa; locations where the species is now considered extirpate. The preferred habitat ranges from wet-mesic tall grass prairie to dry-mesic mixed grass prairie of high quality. Additionally, they prefer habitats which have wood lily (*Lilium philadelphicum*) and mountain deathcamas (*Zigadenus elegans*), and where other nectar sources are present.

A field survey of potential habitat for the Dakota skipper will be conducted prior to construction. The survey will identify and map larval habitat and adult nectar habitat. The Project will be designed to avoid impacts to larval habitat and construction timing stipulations will be implemented for adult skipper habitat during the flight period.

USFWS Managed Lands:

Conservation programs such as Waterfowl Production Areas and wetland and grassland easements represent an important tool used by USFWS to identify and manage high quality wildlife habitat. A review of public records failed to identify any of these USFWS managed lands in the Project study area. Basin Electric requests that USFWS notify them of any USFWS managed lands located within the proposed study area.

Migratory Bird Consultation:

The USFWS administers various wildlife related mandates of national concern including the Migratory Bird Treaty Act (MBTA). Basin Electric understands that unlike the Endangered Species Act, the MBTA has no provisions for the allowance of incidental take and therefore compliance may best be achieved by avoiding or minimizing the potential to interact with migratory species during the active breeding season. Basin Electric also understands that in North Dakota, the breeding season is typically defined as occurring annually from February 1 through July 15. Construction is scheduled to take place in 2024. If construction activities occur during the nesting season, appropriate pre-construction surveys for nesting birds would be performed.

WEST has been retained by Basin Electric to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at (307) 772-1083 or ctucker@west-inc.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,



Chad Tucker
Wildlife Biologist / Project Manager
Carlson McCain, Inc.

Attachment: Project Map

cc: Basin Electric Power Cooperative Project Files



Kummer Ridge 345-kV Transmission Line

2 messages

Jones, Seth A <seth_jones@fws.gov>
To: "ctucker@west-inc.com" <ctucker@west-inc.com>

Fri, Mar 31, 2023 at 8:06 AM

Good morning Chad,

I will be working with you on the proposed Kummer Ridge Transmission Line Project. After initial review of the proposed Project my main concern is the potential impact to the federally listed Dakota Skipper. The current project route will be going through extensive sections of high quality Dakota skipper habitat. I am sure you are aware this is something we will need to discuss in detail as the project progresses forward. I would appreciate some more information about your plans with moving forward with this project and your plans for coordination with the FWS along the way. I am also happy to set up a call so we can discuss my concerns regarding Dakota skippers in more detail. I look forward to coordinating with you on this project for the benefit of federal listed species.

Best regards,

Seth A. Jones
Fish & Wildlife Biologist
U.S. Fish and Wildlife Service
[3425 Miriam Avenue](#)
[Bismarck, North Dakota 58501](#)
[Office: 701-355-8508](#)
[FWS Cell: 701-319-6284](#)
seth_jones@fws.gov

Chad Tucker <ctucker@west-inc.com>
To: "Jones, Seth A" <seth_jones@fws.gov>

Fri, Mar 31, 2023 at 9:22 AM

Hi Seth,

Great to hear from you. We will be conducting DASK habitat surveys along the entire line. The Project is an overhead transmission line, so ground disturbing activities will primarily be from tower placement. As stated in the consultation letter, the entire line will be evaluated for potential larval and adult nectar habitat. Areas identified as potential larval habitat will be mapped and the Project will be designed to avoid larval habitat to the maximum extent possible. Adult nectar habitat will also be mapped and construction timing restrictions during the DASK flight window will be implemented.

Surveys on the BIA tracts will follow the DASK procedures outlined in their Programmatic Biological Assessment.

I would be happy to discuss the Project further at your convenience and would appreciate any feedback you could provide to avoid impacting DASK.

Have a great Friday and I look forward to hearing from you!

Chad

[Quoted text hidden]

--
Chad Tucker
Biologist - Project Manager



Western EcoSystems Technology, Inc.
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Bismarck, ND 58503
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ENVIRONMENTAL & STATISTICAL CONSULTANTS
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November 3, 2023

Luke Toso
North Dakota Ecological Services Supervisor
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501

RE: Basin Electric Power Cooperative
Roundup to Kummer Ridge 345-kilovolt Transmission Project
Project Notification Letter and Review Request

Dear Mr. Toso,

Western Ecosystems Technology, Inc. (WEST) was contracted by Basin Electric Power Cooperative (BEPC) to conduct a natural resources inventory survey for their proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project (Project) located in Dunn and McKenzie counties. The Project is characterized as a transmission line by state regulatory authorities. The Project is 32.5 miles in length and begins at their Roundup Substation located north Killdeer and ending at their Kummer Ridge Substation located east of Johnsons Corner. Table 1 lists the legal descriptions of the Project's centerline.

Table 1. Legal descriptions of the centerline.

Section	Township	Range
3	145	95
6, 7, 8, 16, 17, 21, 22, 27, 34	146	95
19, 30, 31	147	95
2, 11, 12, 13, 24	147	96
6, 7	148	95
1, 12, 13, 24, 25, 35, 36	148	96
6, 7, 18, 19, 20, 27, 28, 29, 33, 34	149	95
1	149	96
23, 25, 26	150	96
36	150	96

Construction activities are scheduled to begin in the first quarter of 2024 with restoration to begin immediately after construction and energization. The Project and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

The purpose of this request is to provide the U.S. Fish and Wildlife Service (USFWS) with notification of the proposed Project and to share BEPC's analysis of the environmental topics relevant to the Commission's siting requirements. The siting process allows agencies to participate in the regulatory process should you choose to comment on the Project or the analysis contained herein.

Federally Listed Species Analysis

WEST conducted a web-based consultation using USFWS's IPaC system. The species addressed in this analysis is based upon results of the project specific query of the IPaC system. The results of the search of the USFWS's IPaC system found the following species listed as having the potential to occur in the area of the Project:

- Northern long-eared bat (*Myotis septentrionalis*) – Endangered
- Whooping crane (*Grus americana*) – Endangered
- Dakota skipper (*Hesperia dacotae*) – Threatened, Critical Habitat Designated
- Piping plover (*Charadrius melodus*) – Threatened, Critical Habitat Designated
- Rufa red knot (*Calidris canutus rufa*) – Threatened
- Monarch butterfly (*Danaus plexippus*) – Candidate

WEST biologists performed field surveys in May, June, September, and October to assess species specific habitats. An aerial survey for eagle and raptor nests was conducted on April 24, 2023. The results of these surveys are discussed in the *Roundup to Kummer Ridge 345-kV Transmission Project Natural Resources Inventory Report* (attached under separate cover). Impact determinations for the individual species, based on the results of the field survey(s), are summarized below.

Northern long-eared bat:

The Project would require small scale tree clearing at 90 locations, totaling 10.4 acres (ac), for structure placement. A desktop analysis was conducted to determine impacts to tree habitat and determine which locations have a higher probability of providing habitat for the Northern long-eared bat (NLEB). A 1,000 ft buffer of the Survey Area was digitally analyzed for tree habitat. Tree habitat was then segregated between greater than five acre patches and less than five acre patches. The review determined that 105.6 ac of trees are within the ROW, 10.4 ac would need to be removed (9.8%). Of the 90 tree clearing areas proposed, 83 are within the 1,000-ft connected habitat buffer. Maps depicting the results of the analysis are in Appendix C of the *Natural Resources Inventory Report*.

To reduce the potential to impact NLEB at the tree clearing locations, BEPC has committed to conducting tree clearing activities from November 1 – March 31. If localized tree clearing activities could not be conducted during this window, presence/absence surveys would occur, and tree removal would happen immediately following a negative survey. Following these measures, the Project **may affect** but is **not likely to adversely affect** the NLEB.

Whooping Crane:

If a crane is sighted within 1.0 mi (1.6 km) of construction activities utilizing heavy equipment, activity would be suspended, and the sighting would be promptly reported to the USFWS. In coordination with the USFWS, suspended activities would resume once the bird(s) have left the area. Flight diverters will be installed on the transmission line to minimize bird strikes in accordance with the Avian Power Pline Interaction Committee (APLIC) guidelines. BEPC's Avian and Bat Protection Plan is included in the Appendices of the *Natural Resources Inventory Report*. Provided the mitigation measures are implemented, it is likely that the Project **may affect** but is **not likely to adversely affect** the whooping crane.

Dakota Skipper:

A desktop assessment of habitat within the Survey Corridor was used to divide habitat into one of two basic habitat groups: grassland habitat and unsuitable habitat. The assessment identified 644.4 ac (260.8 ha, 49%) of grassland habitat and 659.5 ac (266.9 ha; 51%) of unsuitable habitat. The field survey was conducted within the identified grassland habitat to classify habitat as suitable habitat or dispersal habitat. Suitable habitat is defined as native grassland that contains one or more primary constituent elements for the skipper to complete its entire life cycle, including breeding, feeding/foraging, and sheltering behaviors. Dispersal habitat is defined as grassland lacking primary constituent elements needed to complete the entire Dakota skipper life cycle. Grassland was defined as dispersal habitat if it lacked forbs and bunchgrasses. Unsuitable habitat includes everything that does not fit into the above groups and would include cultivated lands, wooded areas, wetlands, and streams (USFWS 2023d).

Field surveys were conducted in all grassland areas within the Survey Corridor to determine if suitable Dakota skipper habitat was present. Suitable habitat was defined as native grassland habitat dominated by bluestems and needle-grasses (*Hesperostipa spp.*), with the presence of requisite forb species including bluebell bellflower (*Campunula rotundifolia*), wood lily (*Lilium philadelphicum*), purple coneflower (*Echinacea angustifolia*), upright prairie coneflower (*Ratibida columnifera*), and blanketflower (*Gaillardia aristata*). Some of the field visits were conducted during the growing season, but outside of peak viewing times for requisite forb species. To combat this, requisite forb species were considered to present if populations of bluestems and/or needle-grasses were present.

The field survey recorded 5.98 acres (2.4 ha; less than 1% of the Survey Corridor) of suitable habitat within the Survey Corridor. The grasslands that were not classified as suitable for the Dakota skipper were found to be dominated by non-native species, primarily smooth brome (*Bromus inermis*) and Kentucky bluegrass (*Poa pratensis*); or the grasslands were dominated by non-requisite native species such as blue grama (*Bouteloua gracilis*) and western wheatgrass (*Pascopyrum smithii*). All remaining grassland habitat (638.42 acre) is considered dispersal habitat. Table 6 of the *Natural Resources Inventory Report* summarizes the attributes for the suitable habitat identified within the Survey Corridor. Appendix A of the *Natural Resources Inventory Report* depicts the locations of suitable habitat and dispersal habitat within the Survey Corridor and Figure 5 shows the Project's location in relation to known species range and designated critical habitat for the Dakota skipper.

BEPC has designed the Project to minimize impact(s) to suitable habitat for the Dakota skipper. This includes routing access trails around potential habitat and placing pole structures outside of potential habitat. To avoid potentially impacting adult Dakota skippers, construction activities will not occur in dispersal habitat during the flight period. The flight period is typically 14 days long between the dates of June 10 – July 25. Following these mitigation measures, the Project **may affect** but is **not likely to adversely affect** the Dakota skipper. The Project is over 20 miles from the nearest designated critical habitat; therefore, it is **not likely to destroy or adversely modify** designated critical habitat for the Dakota skipper.

Piping plover:

No piping plovers or piping plover habitat was observed in or around the Project area during the field surveys; however, migrating and foraging piping plovers could transition through the Project area. This Project is approximately 9.5 mi (15.3 km) west of the nearest critical habitat, which is the Missouri River system. (**Error! Reference source not found.**; USFWS 2023b). Figure 5 in the *Natural Resources Inventory Report* displays the Project's location in relation to designated critical habitat. The field survey documented that the Survey Corridor is predominantly cropland and rangeland and contains wetlands and waterbodies that are well vegetated and do not provide bare ground suitable for nesting habitat. On this basis we conclude that the Project will **may affect** but is **not likely to adversely affect** the piping plover. Critical habitat for the species is not found within the Survey Corridor. Therefore, it is reasonable to believe that the Project is **not likely to destroy or adversely modify** designated critical habitat for the piping plover.

Rufa red knot:

The Project is located approximately 9.5 mi (15.3 km) west of the Missouri River system and the Survey Corridor does not have suitable shoreline stopover habitat for the rufa red knot. Desktop analysis supported with field studies have concluded that no suitable habitat is present within the Project area. On this basis we concluded that the Project would have **no effect** on the rufa red knot.

Monarch Butterfly:

Suitable habitat, including wetlands, roadsides with common milkweed (*Asclepias syriaca*), and upland grassland habitat with flowering species, was observed during the field survey. Much of the herbaceous habitat is rangeland used for livestock grazing or grasslands in roadside ditches. Due to the presence of suitable habitat, it is possible for this species to occur within the Survey Corridor. Once the Project is constructed it would likely have no impact on the monarch butterfly; however, construction of the Project will result in temporary disturbance of potential habitat. We conclude that the Project **may affect** but is **not likely to adversely affect** monarch butterfly.

Bald and Golden Eagles:

An aerial survey for nesting raptors was conducted for the Project on April 24, 2023. A helicopter with a pilot and observer was utilized to survey one mile on both sides of the Project centerline. One active nest, a bald eagle (*Haliaeetus leucocephalus*), was located during the survey. The

nest is located on the north side of the Little Missouri River in Section 36, T148N, R96W. The nest is approximately 345 ft from the Project centerline. BEPC has applied for an Eagle Nest Disturbance Permit from USFWS. Construction would not commence until the permit is obtained.

Migratory Bird Consultation:

USFWS administers various wildlife related mandates of national concern including the Migratory Bird Treaty Act (MBTA). BEPC understands that unlike the Endangered Species Act, the MBTA has no provisions for the allowance of a take and therefore compliance may best be achieved by avoiding or minimizing the potential to interact with migratory species during the active breeding season. BEPC also understands that in North Dakota, the breeding season is typically defined as occurring annually from February 1 through July 15. Construction is scheduled to be active during this window and BEPC is aware that vegetation disturbance prior to the nesting season or pre-construction nest surveys may be necessary to avoid impacts to nesting birds.

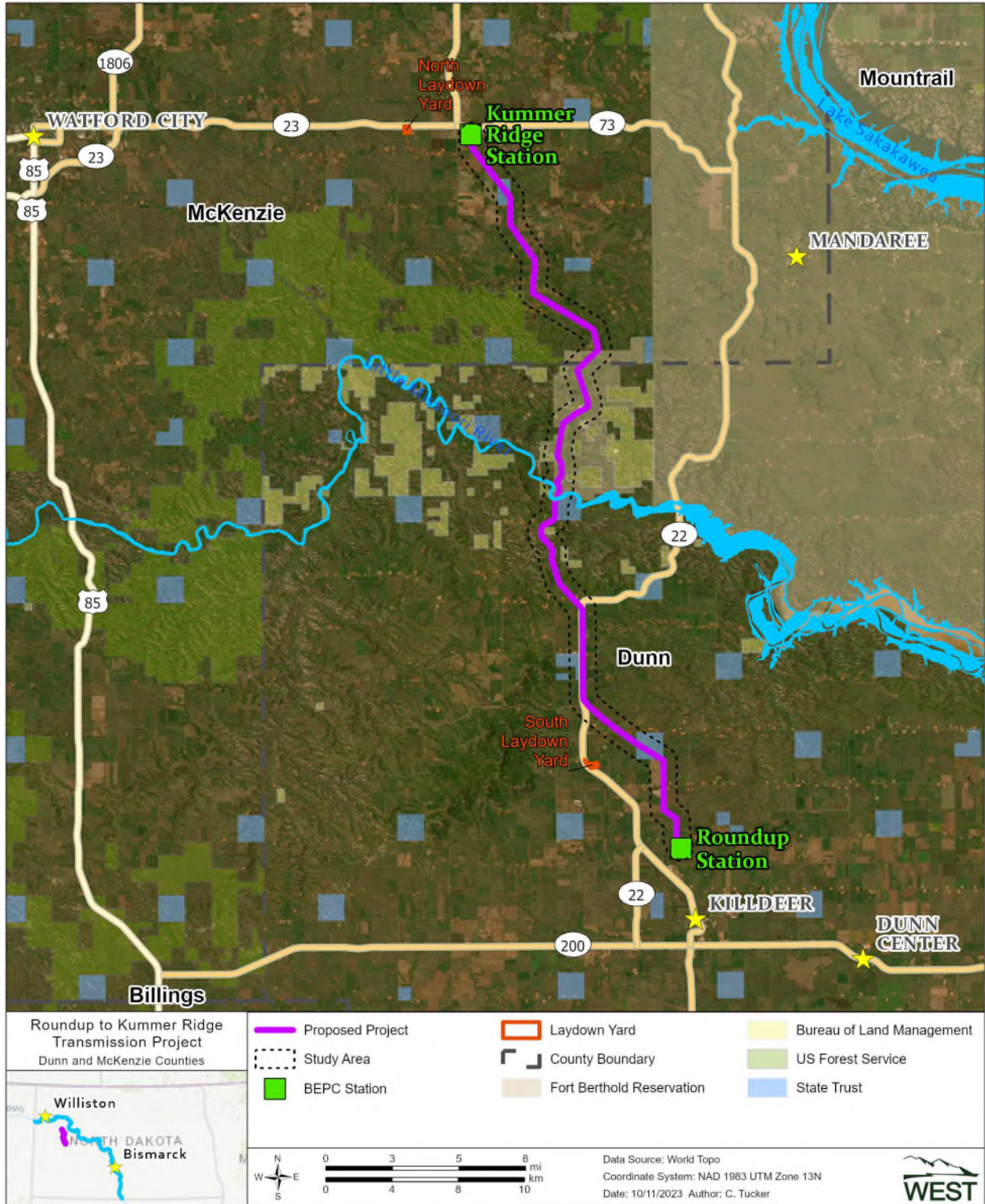
With the submittal of this letter, BEPC is requesting concurrence in the proposed Project's species determinations as discussed above. Please contact me at (307) 772-1083 or ctucker@west-inc.com if you have questions or would like to further discuss the Project.

Sincerely,
Chad Tucker



Consulting Biologist
WEST Inc.

Attachment: Roundup to Kummer Ridge 345-kV Transmission Project Natural Resources Inventory Report



Aerial view of the proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project.

Re: [EXTERNAL] BEPC Rounup-Kummer Ridge UPDATED Concurrence Letter

Jones, Seth A <seth_jones@fws.gov>

Thu 11/9/2023 9:24 AM

To: Chad Tucker <ctucker@west-inc.com>

📎 1 attachments (337 KB)

BEPC Roundup Kummer Ridge Concurrence_Signed.pdf;

Chad,

Please see the attached concurrence letter for the Roundup to Kummer Ridge Transmission Line Project. The purpose of this letter is for ESA Section 7 compliance. We would like to note that within the letter you will see our concurrence is contingent upon all conservation measures from the BA being followed and your successful issuance of the eagle nest removal permit. In addition to the letter we would like to provide the following comment:

1. Our current guidance for the tree removal period as it pertains to the northern-long eared bat follows the interim framework lasting through April 1, 2024, and may be subject to change after that date. We would ask you contact us regarding any potential tree removal after that date as it would be subject to updated guidance.

We appreciate your willingness to work with us throughout the project planning to ensure minimal impacts to listed species and other FWS trust resources. Please let us know if you have any questions or concerns in regard to the concurrence letter or this response.

Best regards,

Seth A. Jones
Fish & Wildlife Biologist
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, North Dakota 58501
Office: 701-355-8508
FWS Cell: 701-319-6284
seth_jones@fws.gov

From: Chad Tucker <ctucker@west-inc.com>

Sent: Friday, November 3, 2023 9:23 AM

To: Toso, Luke B <luke_toso@fws.gov>; Jones, Seth A <seth_jones@fws.gov>

Subject: [EXTERNAL] BEPC Rounup-Kummer Ridge UPDATED Concurrence Letter

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

It was great talking with you this week Seth and I have updated (and attached) the concurrence letter to provide a bit more detail about the suitable DASK habitat and dispersal habitat. I hope this helps and have a great weekend.

thanks,
Chad

Chad Tucker
Consulting Biologist



Western EcoSystems Technology, Inc
Environmental & Statistical Consultants
4007 State Street, Suite 109
Bismarck, North Dakota 58503
307-772-1083
ctucker@west-inc.com

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United States Department of the Interior



FISH AND WILDLIFE SERVICE

North Dakota Ecological Services
3425 Miriam Avenue
Bismarck, ND 58501

November 8, 2023

In reply, please refer to:
Roundup to Kummer Ridge 345-kilovolt Transmission Project

Mr. Chad Tucker
Consulting Biologist
WEST Inc.
415 West 17th Street Suite 200
Cheyenne, WY 82001

Dear Mr. Tucker:

Thank you for your email on November 3, 2023, regarding the Basin Electric Power Cooperative (BEPC) Roundup to Kummer Ridge 345-kilovolt Transmission Project in Dunn and McKenzie Counties, North Dakota. The Project includes construction of a 32.5-mile transmission line and associated access roads. The U.S. Fish and Wildlife Service (FWS) understands this Project would occupy Bureau of Land Management (BLM) and tribal land administered by the Bureau of Indian Affairs (BIA), and thus is subject to Endangered Species Act (ESA) section 7 consultation. As the designated non-federal representative for the Project, Western EcoSystems Technology, Inc (WEST) is requesting FWS review and concurrence for the federal action by the BLM and BIA for the Project.

WEST has requested FWS concurrence with the determination that the Project “may affect, but is not likely to adversely affect” the endangered northern long-eared bat (*Myotis septentrionalis*), the endangered whooping crane (*Grus americana*), the threatened piping plover (*Charadrius melodus*), the threatened Dakota skipper (*Hesperia dacotae*) and the candidate monarch butterfly (*Danaus plexippus*). In accordance with section 7(c) of the Endangered Species Act (ESA), as amended, 16 U.S.C. 1531 et seq., the FWS concurs with your determinations. FWS concurrence is based on the biological assessment (BA) provided and your delineation of the area likely to be affected by the proposed action. Concurrence is contingent on following all the conservation measures outlined in the BA and obtaining the necessary Eagle Nest Disturbance Permit.

WEST has also determined that there will be "no effect" to the threatened rufa red knot (*Calidris conotus rufus*). There is no requirement under the implementing regulations of the Act (50 CFR Part 402) for action agencies to receive FWS concurrence with "no effect" determinations, therefore the responsibility for "no effect" determinations remains with the federal action agency.

We recommend the federal action agency document the "no effect" determinations and retain the documentation in the decisional record for this federal action.

The proposed Project actions should be re-analyzed if any of the following occur:

1. New information reveals effects of the action that may affect listed species in a manner or to an extent not previously considered.
2. The identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation.
3. A new species is listed or critical habitat is designated that may be affected by this Project.

The FWS appreciates the opportunity to work with the WEST and BEPC to ensure the conservation of federal listed species as part of our joint responsibilities under ESA to conserve threatened and endangered species and their habitats. If you have any additional questions or concerns, please contact Seth Jones at (701) 355-8508 or via email at seth_jones@fws.gov or contact me at (720) 793-6797 or luke_toso@fws.gov.

Sincerely,

**LUKE
TOSO**

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Luke Toso

North Dakota Ecological Services Supervisor



ENVIRONMENTAL & STATISTICAL CONSULTANTS
415 West 17th Street, Suite 200, Cheyenne, Wyoming 82001
Phone: 307-634-1756 • www.west-inc.com • Fax: 307-637-6981

November 29, 2023

Luke Toso
North Dakota Ecological Services Supervisor
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501

RE: Basin Electric Power Cooperative
Roundup to Kummer Ridge 345-kilovolt Transmission Project
Project Notification Letter and Review Request

Dear Mr. Toso,

Western Ecosystems Technology, Inc. (WEST) was contracted by Basin Electric Power Cooperative (BEPC) to conduct a natural resources inventory survey for their proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project (Project) located in Dunn and McKenzie counties. The Project is characterized as a transmission line by state regulatory authorities. The Project is 32.5 miles in length and begins at their Roundup Substation located north Killdeer and ending at their Kummer Ridge Substation located east of Johnsons Corner. Table 1 lists the legal descriptions of the Project's centerline.

Table 1. Legal descriptions of the centerline.

Section	Township	Range
3	145	95
6, 7, 8, 16, 17, 21, 22, 27, 34	146	95
19, 30, 31	147	95
2, 11, 12, 13, 24	147	96
6, 7	148	95
1, 12, 13, 24, 25, 35, 36	148	96
6, 7, 18, 19, 20, 27, 28, 29, 33, 34	149	95
1	149	96
23, 25, 26	150	96
36	150	96

Construction activities are scheduled to begin in the first quarter of 2024 with restoration to begin immediately after construction and energization. The Project and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

The purpose of this request is to provide the U.S. Fish and Wildlife Service (USFWS) with notification of the proposed Project and to share BEPC's analysis of the environmental topics relevant to the Commission's siting requirements. The siting process allows agencies to participate in the regulatory process should you choose to comment on the Project or the analysis contained herein.

Federally Listed Species Analysis

WEST conducted a web-based consultation using USFWS's IPaC system. The species addressed in this analysis is based upon results of the project specific query of the IPaC system. The results of the search of the USFWS's IPaC system found the following species listed as having the potential to occur in the area of the Project:

- Northern long-eared bat (*Myotis septentrionalis*) – Endangered
- Whooping crane (*Grus americana*) – Endangered
- Dakota skipper (*Hesperia dacotae*) – Threatened, Critical Habitat Designated
- Piping plover (*Charadrius melodus*) – Threatened, Critical Habitat Designated
- Rufa red knot (*Calidris canutus rufa*) – Threatened
- Monarch butterfly (*Danaus plexippus*) – Candidate

WEST biologists performed field surveys in May, June, September, and October to assess species specific habitats. An aerial survey for eagle and raptor nests was conducted on April 24, 2023. The results of these surveys are discussed in the *Roundup to Kummer Ridge 345-kV Transmission Project Natural Resources Inventory Report* (attached under separate cover). Impact determinations for the individual species, based on the results of the field survey(s), are summarized below.

Northern long-eared bat:

The Project would require small scale tree clearing at 90 locations, totaling 10.4 acres (ac), for structure placement. A desktop analysis was conducted to determine impacts to tree habitat and determine which locations have a higher probability of providing habitat for the Northern long-eared bat (NLEB). A 1,000 ft buffer of the Survey Area was digitally analyzed for tree habitat. Tree habitat was then segregated between greater than five acre patches and less than five acre patches. The review determined that 105.6 ac of trees are within the ROW, 10.4 ac would need to be removed (9.8%). Of the 90 tree clearing areas proposed, 83 are within the 1,000-ft connected habitat buffer. Maps depicting the results of the analysis are in Appendix C of the *Natural Resources Inventory Report*.

To reduce the potential to impact NLEB at the tree clearing locations, BEPC has committed to conducting tree clearing activities from November 1 – March 31. If localized tree clearing activities could not be conducted during this window, presence/absence surveys would occur, and tree removal would happen immediately following a negative survey. Following these measures, the Project **may affect** but is **not likely to adversely affect** the NLEB.

Whooping Crane:

If a crane is sighted within 1.0 mi (1.6 km) of construction activities utilizing heavy equipment, activity would be suspended, and the sighting would be promptly reported to the USFWS. In coordination with the USFWS, suspended activities would resume once the bird(s) have left the area. Flight diverters will be installed on the transmission line to minimize bird strikes in accordance with the Avian Power Line Interaction Committee (APLIC) guidelines. BEPC's Avian and Bat Protection Plan is included in the Appendices of the *Natural Resources Inventory Report*. Provided the mitigation measures are implemented, it is likely that the Project **may affect** but is **not likely to adversely affect** the whooping crane.

Dakota Skipper:

A desktop assessment of habitat within the Survey Corridor was used to divide habitat into one of two basic habitat groups: grassland habitat and unsuitable habitat. The assessment identified 644.4 ac (260.8 ha, 49%) of grassland habitat and 659.5 ac (266.9 ha; 51%) of unsuitable habitat. The field survey was conducted within the identified grassland habitat to classify habitat as suitable habitat or dispersal habitat. Suitable habitat is defined as native grassland that contains one or more primary constituent elements for the skipper to complete its entire life cycle, including breeding, feeding/foraging, and sheltering behaviors (USFWS 2023e).

Field surveys were conducted in all grassland areas within the Survey Corridor to determine if suitable Dakota skipper habitat was present. Suitable habitat was defined as native grassland habitat dominated by bluestems and needle-grasses (*Hesperostipa spp.*), with the presence of requisite forb species including bluebell bellflower (*Campunula rotundifolia*), wood lily (*Lilium philadelphicum*), purple coneflower (*Echinacea angustifolia*), upright prairie coneflower (*Ratibida columnifera*), and blanketflower (*Gaillardia aristata*). Some of the field visits were conducted during the growing season, but outside of peak viewing times for requisite forb species. To combat this, requisite forb species were considered to present if populations of bluestems and/or needle-grasses were present.

The field survey recorded 5.98 acres (2.4 ha; less than 1% of the Survey Corridor) of suitable habitat within the Survey Corridor. The grasslands that were not classified as suitable for the Dakota skipper were found to be dominated by non-native species, primarily smooth brome (*Bromus inermis*) and Kentucky bluegrass (*Poa pratensis*); or the grasslands were dominated by non-requisite native species such as blue grama (*Bouteloua gracilis*) and western wheatgrass (*Pascopyrum smithii*). Table 6 of the *Natural Resources Inventory Report* summarizes the attributes for the suitable habitat identified within the Survey Corridor. Appendix A of the *Natural Resources Inventory Report* depicts the locations of suitable habitat within the Survey Corridor and Figure 3 shows the Project's location in relation to known species range and designated critical habitat for the Dakota skipper.

BEPC has designed the Project to minimize impacts to suitable habitat for the DASK. This includes routing access trails around potential habitat and placing pole structures outside of potential habitat. To minimize the impacts to foraging or dispersing adult DASK, a 500-meter avoidance buffer will be placed around suitable habitat locations. Existing surfaced roads within

the buffers may be used for travel, but construction within the buffers will not occur during the flight window. Dust abatement may be necessary on gravel surfaced roads during the flight window. The flight period is typically 14 days long between the dates of June 10 – July 25 and dates may be adjusted based on annual observations by the USFWS.

The buffers collectively cover approximately 7.4 miles of the Project as depicted in Figures 4a-4e of the *Natural Resources Inventory Report*. The avoidance and minimization effort follows the guidance of the March 2023 *USFWS Timing/Buffer Recommendations* (USFWS 2023f).

Following these mitigation measures, the Project **may affect** but is **not likely to adversely affect** the Dakota skipper. The Project is approximately 20 miles from the nearest designated critical habitat; therefore, it is **not likely to destroy or adversely modify** designated critical habitat for the Dakota skipper.

Piping plover:

No piping plovers or piping plover habitat was observed in or around the Project area during the field surveys; however, migrating and foraging piping plovers could transition through the Project area. This Project is approximately 9.5 mi (15.3 km) west of the nearest critical habitat, which is the Missouri River system. (Appendix A; USFWS 2023b). Figure 5 in the *Natural Resources Inventory Report* displays the Project's location in relation to designated critical habitat. The field survey documented that the Survey Corridor is predominantly cropland and rangeland and contains wetlands and waterbodies that are well vegetated and do not provide bare ground suitable for nesting habitat. On this basis we conclude that the Project will **may affect** but is **not likely to adversely affect** the piping plover. Critical habitat for the species is not found within the Survey Corridor. Therefore, it is reasonable to believe that the Project is **not likely to destroy or adversely modify** designated critical habitat for the piping plover.

Rufa red knot:

The Project is located approximately 9.5 mi (15.3 km) west of the Missouri River system and the Survey Corridor does not have suitable shoreline stopover habitat for the rufa red knot. Desktop analysis supported with field studies have concluded that no suitable habitat is present within the Project area. On this basis we concluded that the Project would have **no effect** on the rufa red knot.

Monarch Butterfly:

Suitable habitat, including wetlands, roadsides with common milkweed (*Asclepias syriaca*), and upland grassland habitat with flowering species, was observed during the field survey. Much of the herbaceous habitat is rangeland used for livestock grazing or grasslands in roadside ditches. Due to the presence of suitable habitat, it is possible for this species to occur within the Survey Corridor. Once the Project is constructed it would likely have no impact on the monarch butterfly; however, construction of the Project will result in temporary disturbance of potential habitat. We conclude that the Project **may affect** but is **not likely to adversely affect** monarch butterfly.

Bald and Golden Eagles:

An aerial survey for nesting raptors was conducted for the Project on April 24, 2023. A helicopter with a pilot and observer was utilized to survey one mile on both sides of the Project centerline. One active nest, a bald eagle (*Haliaeetus leucocephalus*), was located during the survey. The nest is located on the north side of the Little Missouri River in Section 36, T148N, R96W. The nest is approximately 345 ft from the Project centerline. BEPC has applied for an Eagle Nest Disturbance Permit from USFWS. Construction would not commence until the permit is obtained.

Migratory Bird Consultation:

USFWS administers various wildlife related mandates of national concern including the Migratory Bird Treaty Act (MBTA). BEPC understands that unlike the Endangered Species Act, the MBTA has no provisions for the allowance of a take and therefore compliance may best be achieved by avoiding or minimizing the potential to interact with migratory species during the active breeding season. BEPC also understands that in North Dakota, the breeding season is typically defined as occurring annually from February 1 through July 15. Construction is scheduled to be active during this window and BEPC is aware that vegetation disturbance prior to the nesting season or pre-construction nest surveys may be necessary to avoid impacts to nesting birds.

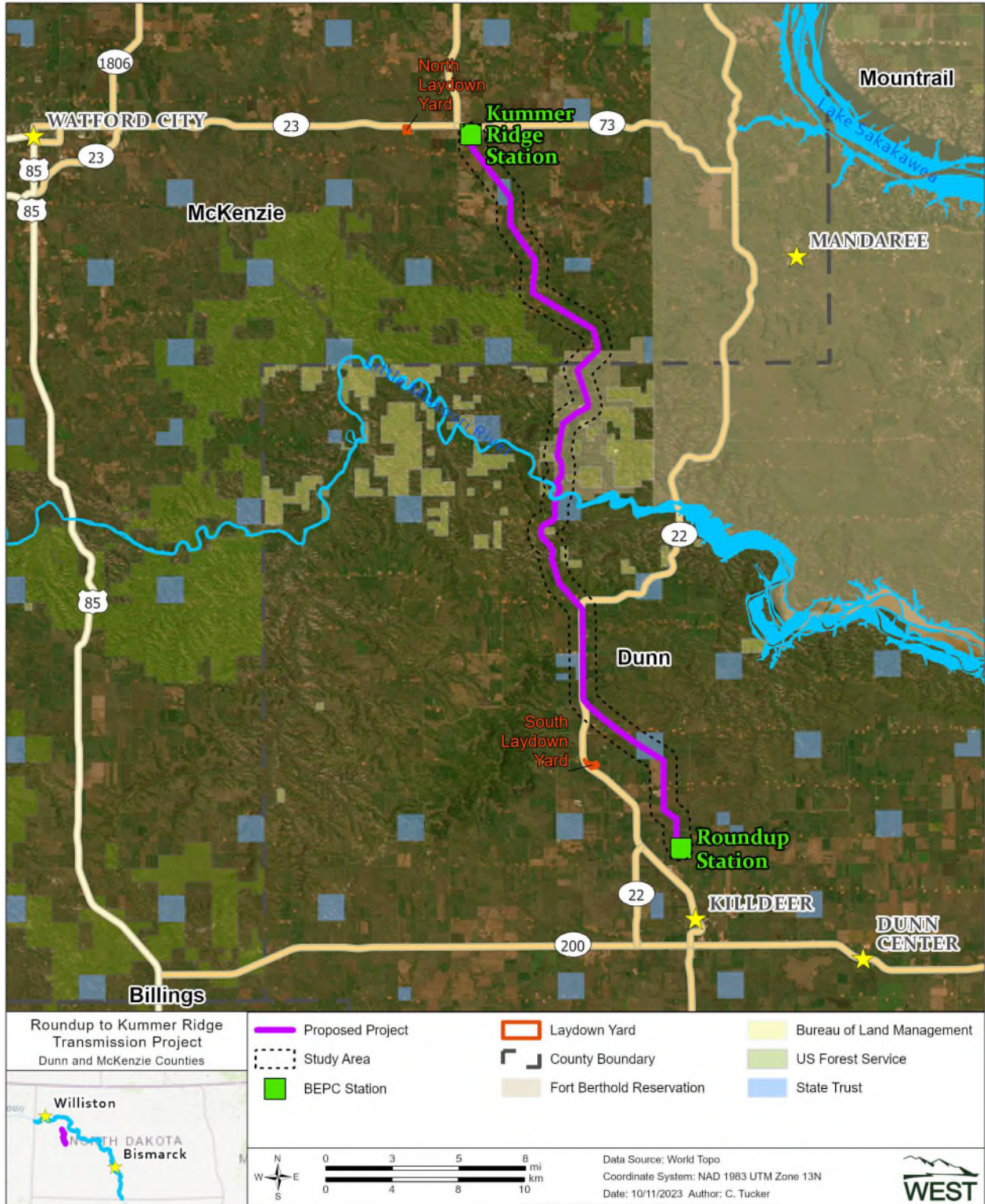
With the submittal of this letter, BEPC is requesting concurrence in the proposed Project's species determinations as discussed above. Please contact me at (307) 772-1083 or ctucker@west-inc.com if you have questions or would like to further discuss the Project.

Sincerely,
Chad Tucker



Consulting Biologist
WEST Inc.

Attachment: Roundup to Kummer Ridge 345-kV Transmission Project Natural Resources Inventory Report



Aerial view of the proposed Roundup to Kummer Ridge 345-kilovolt Transmission Project.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

North Dakota Ecological Services
3425 Miriam Avenue
Bismarck, ND 58501

December 4, 2023

In reply, please refer to:
Roundup to Kummer Ridge 345-kilovolt Transmission Project

Mr. Chad Tucker
Consulting Biologist
WEST Inc.
415 West 17th Street Suite 200
Cheyenne, WY 82001

Dear Mr. Tucker:

Thank you for your email on November 29, 2023, with the updated biological assessment (BA) to re-analyze the effects of the Basin Electric Power Cooperative (BEPC) Roundup to Kummer Ridge 345-kilovolt Transmission Project in Dunn and McKenzie Counties, North Dakota. The Project was re-analyzed because of the need for updated avoidance, minimization, and mitigation measures for the Project as it relates to the threatened Dakota skipper (*Hesperia dacotae*).

The Project includes construction of a 32.5-mile transmission line and associated access roads. The U.S. Fish and Wildlife Service (FWS) understands this Project crosses Bureau of Land Management (BLM) and tribal land and thus is subject to Endangered Species Act (ESA) section 7 consultation. As the designated non-federal representative for the Project, WEST Inc. is requesting FWS review and concurrence for the Project.

WEST Inc. has requested FWS concurrence with the determination that the Project “may affect, but is not likely to adversely affect” the endangered northern long-eared bat (*Myotis septentrionalis*), the endangered whooping crane (*Grus americana*), the threatened piping plover (*Charadrius melodus*), the threatened Dakota skipper (*Hesperia dacotae*) and the candidate monarch butterfly (*Danaus plexippus*). In accordance with section 7(c) of the Endangered Species Act (ESA), as amended, 16 U.S.C. 1531 et seq., the FWS concurs with your determinations. FWS concurrence is based on the updated BA provided and your delineation of the area likely to be affected by the proposed action. Concurrence is contingent on all conservation measures outlined in the BA being followed and the successful obtainment of the necessary Eagle Nest Disturbance Permit. This includes the updated avoidance, minimization, and mitigation measures for the Dakota skipper which are consistent with the North Dakota buffer and timing recommendations and guidelines.

WEST Inc. has also determined that there will be "no effect" to the threatened rufa red knot (*Calidris conutus rufus*). There is no requirement under the implementing regulations of the Act (50 CFR Part 402) for action agencies to receive FWS concurrence with "no effect" determinations, therefore the responsibility for "no effect" determinations remains with the federal action agency. We recommend the federal action agency document the "no effect" determinations and retain the documentation in the decisional record for this federal action.

The proposed Project actions should be re-analyzed if any of the following occur:

1. New information reveals effects of the action that may affect listed species in a manner or to an extent not previously considered.
2. The identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation.
3. A new species is listed or critical habitat is designated that may be affected by this Project.

The FWS appreciates the opportunity to work with the WEST Inc. and BEPC to ensure the conservation of federal listed species as part of our joint responsibilities under ESA to conserve threatened and endangered species and their habitats. If you have any additional questions or concerns, please contact Seth Jones at (701) 355-8508 or via email at seth_jones@fws.gov or contact me at (720) 793-6797 or luke_toso@fws.gov.

Sincerely,

LUKE
TOSO

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Luke Toso
North Dakota Ecological Services Supervisor

United States Bureau of Indian Affairs

Notice of Availability

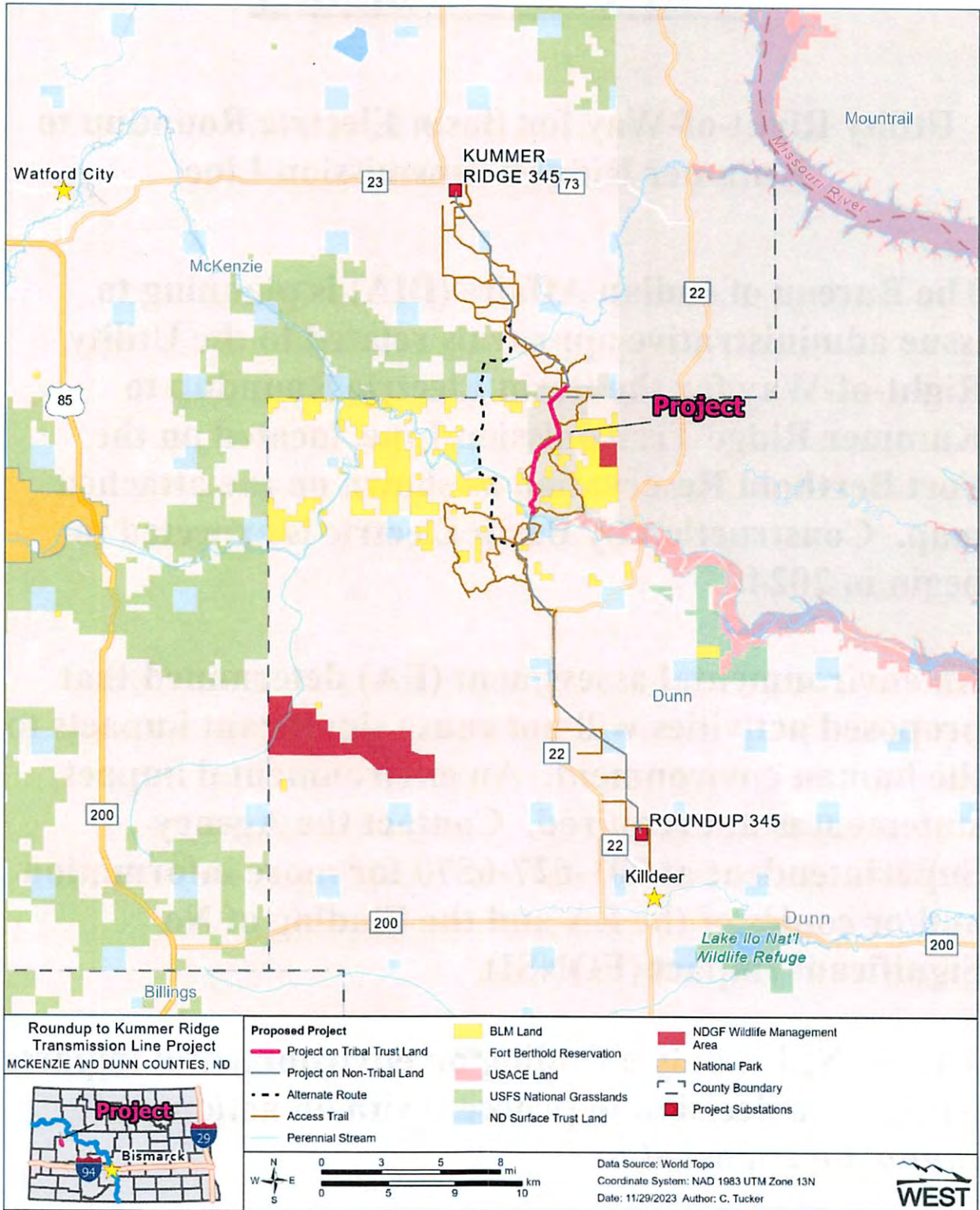
Utility Right-of-Way for Basin Electric Roundup to Kummer Ridge Transmission Line

The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to the Utility Right-of-Way for the Basin Electric Roundup to Kummer Ridge Transmission Line, located on the Fort Berthold Reservation as shown on the attached map. Construction by Basin Electric is expected to begin in 2024.

An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact the Agency Superintendent at 701-627-6570 for more information and/or copies of the EA and the Finding of No Significant Impact (FONSI).

The FONSI is only a finding on environmental impacts – it is not a decision to proceed with an action and *cannot* be appealed.

Project location.



Finding of No Significant Impact

Basin Electric Power Cooperative

Roundup to Kummer Ridge Transmission Line McKenzie and Dunn Counties, North Dakota

The U.S. Bureau of Indian Affairs (BIA) has received a proposal to install an overhead transmission line—called the Roundup to Kummer Ridge 345-kilovolt (kV) Transmission Line (Project)—in McKenzie and Dunn counties, North Dakota. The Project was selected by Southwest Power Pool (SPP) as part of the 2021 Interregional Transmission Planning process to mitigate reliability constraints and to increase load serving capability in the region. The proposed transmission line would be routed from an existing substation named Roundup—near Killdeer, North Dakota—to an existing substation named Kummer Ridge—near Johnson’s Corner, North Dakota. The Project includes 6.46 miles of overhead transmission line on Tribal Trust lands within the Fort Berthold Reservation.

The potential of the proposed action to impact the human environment is analyzed in the attached Environmental Assessment (EA), as required by the National Environmental Policy Act. Based on the recently completed EA, I have determined that the proposed project will not significantly affect the quality of the human environment. No Environmental Impact Statement is required for any portion of the proposed activities.

This determination is based on the following factors:

1. Agency and public involvement solicited for the preceding NEPA document was sufficient to ascertain potential environmental concerns associated with the currently proposed project.
2. Protective and prudent measures were designed to minimize impacts to air, water, soil, vegetation, wetlands, wildlife, public safety, water resources, and cultural resources. The remaining potential for impacts was disclosed for both the proposed actions and the No Action alternative.
3. Guidance from the U.S. Fish and Wildlife Service has been fully considered regarding wildlife impacts, particularly in regard to threatened or endangered species. This guidance includes the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250), Executive Order 13186 “Responsibilities of Federal Agencies to Protect Migratory Birds”, and the Endangered Species Act (16 U.S.C. 1531 et seq.)(ESA).
4. The proposed actions are designed to avoid adverse effects to historic, archaeological, cultural and traditional properties, sites and practices. Compliance with the procedures of the National Historic Preservation Act is complete.
5. Environmental justice was fully considered.
6. Cumulative effects to the environment are either mitigated or minimal.
7. No regulatory requirements have been waived or require compensatory mitigation measures.
8. The proposed projects will improve the socio-economic condition of the affected Native American community.

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Regional Director

12-04-2023

Date

ENVIRONMENTAL ASSESSMENT

United States Bureau of Indian Affairs

**Great Plains Regional Office
Aberdeen, South Dakota**



Basin Electric Power Cooperative

**Roundup to Kummer Ridge Transmission Line
McKenzie and Dunn Counties, North Dakota**

Fort Berthold Indian Reservation

November 2023

For information contact:
Bureau of Indian Affairs, Great Plains Regional Office
Division of Environment, Safety, and Cultural Resources
115 4th Avenue SE
Aberdeen, South Dakota 57401
605-226-7656

Environmental Assessment

Basin Electric Power Cooperative

Roundup to Kummer Ridge Transmission Line

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Acronyms

°	degree
Alternative Route	alternative transmission line route option approximately three miles west of the proposed route
APLIC	Avian Power Line Interaction Committee
APP	Avian Protection Plan
BE	Biological Evaluation
BEPC	Basin Electric Power Cooperative
BIA	Bureau of Indian Affairs
BMP	Best Management Practice
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
DPS	distinct population segment
EA	Environmental Assessment
EIS	Environmental Impact Statement
EJ	environmental justice
EPA	Environmental Protection Agency
FBIR	Fort Berthold Indian Reservation
FBIR PBA/BE	<i>Programmatic Biological Assessment/Biological Evaluation (PBA/BE) for FBIR Oil and Gas Development</i>
FONSI	Finding of No Significant Impact
kV	kilovolt
MHA	Mandan, Hidatsa, and Arikara
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NDGFD	North Dakota Game and Fish Department
NLEB	northern long-eared bat
Order	<i>Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations</i>
PBA	Programmatic Biological Assessment
Project	Roundup to Kummer Ridge Transmission Line
R	Range
ROW	right-of-way
SARA	Superfund Amendments and Reauthorization Act
T	Township
TAT	Three Affiliated Tribes
TRNP	Theodore Roosevelt National Park
USACE	U.S. Army Corps of Engineers
USC	U.S. Code
USFWS	U.S. Fish and Wildlife Service
WEST	Western EcoSystems Technology, Inc.
WNS	white-nose syndrome co

1.0 Purpose and Need for the Project

Basin Electric Power Cooperative (BEPC) is proposing to install an overhead transmission line—called the Roundup to Kummer Ridge 345-kilovolt (kV) Transmission Line (Project)—in McKenzie and Dunn counties, North Dakota. The Project was selected by Southwest Power Pool (SPP) as part of the 2021 Interregional Transmission Planning process to mitigate reliability constraints and to increase load serving capability in the region. The proposed transmission line would be routed from an existing substation named Roundup—near Killdeer, North Dakota—to an existing substation named Kummer Ridge—near Johnson’s Corner, North Dakota (Figure 1).

The Kummer Ridge substation is currently served by a single radial 345-kV circuit (Patent Gate to Kummer Ridge). An outage or loss of this circuit would result in large through-flow on the existing Western Area Power Administration 230-kV system and other facilities, which creates severe voltage constraints on the local electric system. Loss of the circuit would likely result in outages or load shedding. The addition of the Project circuit increases the load serving capability and provides critical transmission redundancy.

In addition, the transmission system has reached its maximum load serving capability in western North Dakota. This limits further economic development that uses electricity until the transmission buildout can be finished.

The Project includes 6.46 miles of overhead transmission line on Tribal Trust lands (Figure 2). Access roads for construction and operation/maintenance are also part of the proposed Project. The scope of this Environmental Assessment (EA) is limited to the proposed transmission line and access roads located on Tribal Trust land.

The Bureau of Indian Affairs (BIA) is the surface management agency for potentially affected tribal lands and individual allotments. The BIA’s actions in connection with the proposed Project include the approval of leases, easements and rights-of-way (ROW), and determinations regarding cultural resource effects.

Analysis of the proposal’s potential to affect the human environment is expected to both improve and explain federal decision making. The developmental, operations, and reclamation procedures and practices described in this EA are critical elements in both the Project proposal and the BIA’s decision regarding environmental impacts. This EA would result in either a Finding of No Significant Impact (FONSI) or a decision to prepare an Environmental Impact Statement (EIS).

Any authorized project would comply with all applicable federal, state, and tribal laws, rules, policies, regulations, and agreements. No construction, installation, or other ground-disturbing operations would begin until all necessary leases, easements, surveys, clearances, consultations, permissions, determinations, and permits are in place. Any additional construction, connections to existing and future utilities, or roads to the proposed aboveground distribution line would require additional *National Environmental Policy Act* (NEPA) analysis and federal decisions.

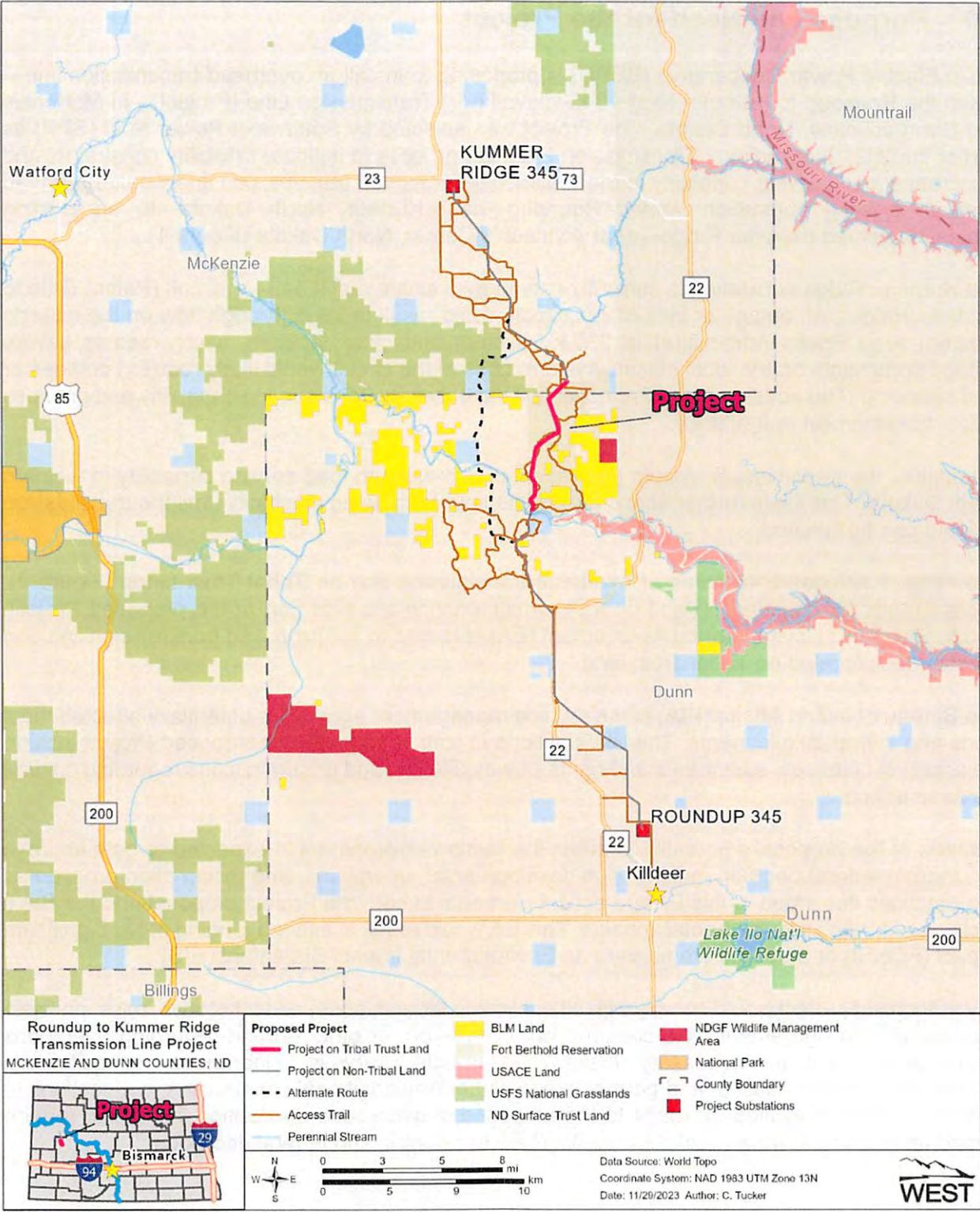


Figure 1. General Location.

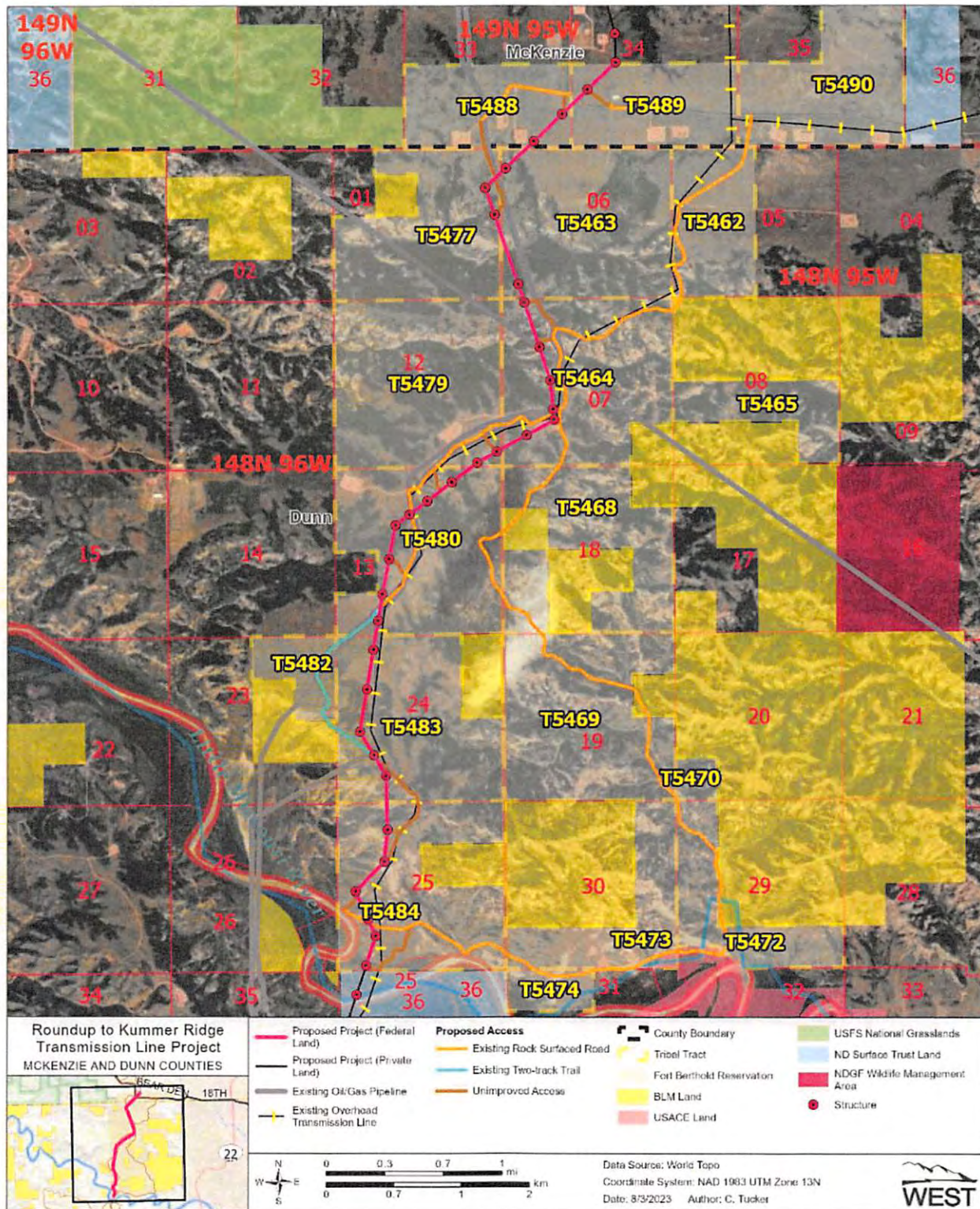


Figure 2. Affected Tribal Trust Land.

2.0 Federal and Other Relevant Regulations and Authorities

The BIA's general mission is to represent the interests, including the trust resources, of the Three Affiliated Tribes (TAT) of the Mandan, Hidatsa, and Arikara (MHA) Nation, as well as those of individual tribal members. BEPC's Project has been proposed to provide a more stable electrical source to existing and future actions of the MHA Nation.

These proposed federal actions require compliance with NEPA and regulations of the Council on Environmental Quality (CEQ; 40 Code of Federal Regulations [CFR] 1500-1508 [1970]). Power project ROWs are granted pursuant to the Rights-of-Way on Indian Land Act of February 1948, (25 U.S. Code [USC] §§ 323-328), the Indian Land Consolidation Act (25 USC § 2218 § 219 [2000]), and 25 CFR 169 (2015). The BIA must comply with NEPA before it issues a determination of effect regarding environmental resources. Therefore, an EA for the proposed transmission line is necessary to analyze the direct, indirect, and cumulative impacts of the proposed Project.

Should significant adverse impacts be identified because of the direct, indirect, or cumulative effects of the Project, then the NEPA requires the preparation of an EIS. It should be noted that a significant benefit from the Project does not necessarily require preparation of an EIS. In the absence of significant adverse impacts, this EA would be expected to result in a decision of FONSI.

The Project would provide a stable power supply that could be used to upgrade additional industrial, commercial, and residential power infrastructure. Any future proposed federal actions that are intended exclusively or partly on Tribal Trust land would require additional NEPA analysis and the BIA's consideration prior to engagement.

BEPC would comply with all applicable federal, state, and tribal laws, rules, policies, regulations, and agreements. BEPC also agrees to follow all best management practices (BMPs) and monitoring mitigations listed in this document. No disturbances of any kind can occur until all required clearances, consultations, determinations, easements, leases, permits, and surveys are in place.

3.0 Project and Alternatives

The Project, outlined within this document, analyzes the potential impacts of the proposed Project: an electrical distribution line on tribal surface ownership held in trust by the BIA in McKenzie and Dunn counties, North Dakota. For this purpose, the BIA is considering the Project, one Alternative Route (transmission line alternative route option approximately three miles west of the proposed route), and a No-action Alternative. In the event of identifying potentially significant environmental effects, additional alternative analysis would be required.

3.1 Project

BEPC is proposing to install 6.46 miles of overhead transmission line on Fort Berthold Indian Reservation (FBIR) Tribal Trust lands.

A new ROW would be established to accommodate the transmission line. The transmission line would be constructed using either single-pole or H-frame self-supporting structures. Typical transmission structures would range in height from 70 to 115 feet, with span distances ranging from approximately 350 to 1,100 feet, depending on topography. Taller structures would be used for crossing existing distribution/transmission lines and where difficult terrain exists. The standard ROW width would be 150 feet wide. ROW widths up to 350 feet would be needed for significantly longer spans (over 1,300 feet). The transmission easement width is needed to contain electrical clearance to the conductor under all operating conditions. The conductor is modeled under high wind conditions to measure maximum blowout to ensure it is contained within the proposed ROW width. The full ROW width is not needed for construction; ground disturbing activities would be limited to the structure locations and the access between structures as summarized in the impacts table.

Ground disturbing activities would include pre-placement of new poles along the ROW, drilling holes for pole placement, and stringing and sagging of overhead lines.

Additionally, easements are needed to access the ROW during construction and for operation/maintenance. A number of the access road easements would be located on Tribal tracts. No improvements to the access roads are anticipated. Travel on un-improved access roads would be prohibited during inclement weather. Should rutting or compaction of soil(s) occur due to vehicular travel, the access road would be restored to before-construction condition. ROW plats showing the transmission line and access road easement(s) are included in Appendix A.

The portion of the proposed Project located on FBIR Tribal lands is limited to the MHA Nation Buffalo Ranch, located approximately eight miles southwest of Mandaree, North Dakota (Figure 2). The Project would install 34,133.32 linear feet of overhead electrical line supported by 33 structures on Tribal lands. The legal description(s), length, and affected acres are included in Table 1, below.

Table 1. Transmission Easements on Fort Berthold Indian Reservation Tribal Trust Lands.

Twp-Rng-Sec	MHA Tract #	Linear Feet	Acres	Easement Width (feet)	Structures	Temporary Construction (acres)
149-95-34	T5489	1,910.89	6.58	150	1	1.4
149-95-33	T5488	1,914.88	6.59	150	2	0
148-96-01	T5477	1,992.87	9.16	350	2	2.9
148-95-06	T5463	3,478.00	20.15	350	2	0
148-95-07	T5464	5,818.63	21.72	200	6	2.9
148-96-12	T5479	1,117.26	3.85	150	2	0
148-96-13	T5480	6,551.10	22.56	150	7	2.8

Table 1. Transmission Easements on Fort Berthold Indian Reservation Tribal Trust Lands.

Twp-Rng-Sec	MHA Tract #	Linear Feet	Acres	Easement Width (feet)	Structures	Temporary Construction (acres)
148-96-24	T5483	5,509.50	21.96	225	5	3.2
148-96-25	T5484	5,840.20	22.27	225	6	5.6
TOTALS		34,133.32	134.83		33	18.8

MHA = Mandan, Hidatsa, and Arikara.

On Tribal lands, 78,718.31 feet of access road would be used. Table 2 outlines the access road(s) locations, linear length, and total acres.

Table 2. Tribal Access Easements.

Twp-Rng-Sec	MHA Tract #	Linear Feet	Acres	Surface Material
148-95-5	T5462	6,156.00	4.24	Existing Rock Surfaced Road
148-95-7	T5464	10,483.73	7.22	Existing Rock Surfaced Road
148-95-18	T5468	3,566.97	2.46	Existing Rock Surfaced Road
148-95-19	T5469	6,727.43	4.63	Existing Rock Surfaced Road
148-95-29	T5472	4,117.21	2.84	Existing Rock Surfaced Road
148-95-30	T5473	3,794.63	2.61	Existing Rock Surfaced Road
148-95-30	T5474	1,953.76	1.35	Existing Rock Surfaced Road
148-96-12	T5479	2,534.35	1.75	Existing Rock Surfaced Road
148-96-13	T5480	7,715.46	5.31	Existing Rock Surfaced Road
148-96-25	T5484	5,574.34	3.84	Existing Rock Surfaced Road
149-95-33	T5488	3,347.19	2.31	Existing Rock Surfaced Road
149-95-34	T5489	90.05	0.06	Existing Rock Surfaced Road
149-95-35	T5490	986.58	0.68	Existing Rock Surfaced Road
148-96-13	T5480	1,181.42	0.81	Existing Two-track Trail
148-96-23	T5482	2,831.72	1.95	Existing Two-track Trail
148-96-24	T5483	1,913.02	1.32	Existing Two-track Trail
148-95-6	T5463	640.68	0.44	Unimproved Access
148-95-7	T5464	2,297.87	1.58	Unimproved Access
148-96-1	T5477	1,498.51	1.03	Unimproved Access
148-96-13	T5479	1,318.72	0.91	Unimproved Access
148-96-13	T5480	567.64	0.39	Unimproved Access
148-96-24	T5483	1,826.20	1.26	Unimproved Access
148-96-25	T5484	5,417.73	3.73	Unimproved Access
149-95-33	T5488	1,331.06	0.92	Unimproved Access
149-5-34	T5489	846.05	0.58	Unimproved Access
TOTALS		78,718.31	54.21	

MHA = Manda, Hidatsa, and Arikara.

Table 3 summarizes the anticipated impacts to Tribal Land(s). This includes the number of structures and expected acres of disturbance.

Table 3. Trust Land Impact Summary.

Type	Quantity	Permanent (acres)		Temporary (acres)	
		Unit	Total (acres)	Unit	Total (acres)
Structures	33	100 ft ²	<1	0.50 acres	17
Structure Grading	3	0.33 acres	1	0.33 acres	1
Temporary Construction Access within ROW	6.5 miles	NA	0	20 feet wide	15
Stringing Locations	10	NA	0	2.00 acres	20
Existing Off-ROW Access	14.3 miles	NA	0	NA	0
New Off-ROW access	0.5 miles	30' wide	<2	30 feet wide	<8
TOTAL			4		61

3.1.1 Operation and Maintenance

The following operation and maintenance activities would be performed throughout the life of the Project.

- BEPC's preventive maintenance program for the transmission line includes aerial and ground inspections. Aerial inspections would be conducted at least two times each year. Ground patrols would be conducted annually for the first three or four years, and less frequently thereafter. Climbing inspections of structures would be conducted on a 5-year cycle with every fifth structure inspected each year. Inspections and patrols would involve the use of vehicles in areas where there is suitable vehicle access.
- Maintenance activities would include repairing damaged conductors, inspecting and repairing structures, replacing damaged and broken insulators, and tightening hardware.
- Maintenance will include the control of noxious weeds. Herbicides will be applied in accordance with manufacturer's instructions, and in accordance with ND Weed and Control Guide and BIA recommendations. BEPC would hire a contractor licensed in chemical application in the State of North Dakota.
- Disturbed areas will be monitored for erosion. Erosion control may include the installation and maintenance of necessary measures for temporary and permanent erosion, sedimentation, and dust control as required by relevant agencies and the property owner. Inspection and maintenance will be completed by BEPC or a BEPC representative to ensure compliance with project reclamation specifications.
- BEPC would maintain any gates it initially installs and continually uses for access.
- BEPC would remove trees that pose a clearance or safety problem to the operation of the transmission line. Specific requirements of the National Electric Reliability Council would be followed. This activity would be completed in accordance with the landowner easement.
- BEPC would operate the Roundup and Kummer Ridge Substations throughout the Project life.

Treatment of vegetation within the Project corridor would include the selective removal of trees to prevent contact with the transmission line conductors. Disposal of cut trees and/or shrubs would be in a manner acceptable to the landowner and in accordance with applicable state waste management rules. The need for tree and/or shrub removal is expected to be minimal as areas with trees and/or shrubs were generally avoided, when possible, during detailed routing.

3.2 Decommissioning

If the transmission line were to be abandoned or rebuilt, decommissioning and removal of structures, conductor, and ancillary equipment would be in accordance with applicable regulations in place at the time.

3.2.1 Reclamation

Successful reclamation of disturbed areas would be the responsibility of BEPC. Following construction and energization, BEPC will hire a reclamation contractor to restore the ROW and access to as close to previous condition as possible. This would include:

- The installation and maintenance of necessary measures for temporary and permanent erosion, sedimentation, and dust control as required by relevant agencies and the property owner. Inspection and maintenance will be completed by BEPC or a BEPC representative to ensure compliance with project reclamation specifications.
- Decompaction as necessary, seedbed preparation, mulching, fertilization, seeding and erosion control and subsequent maintenance will be performed for all pasture land areas disturbed by the project. The seed mixture, fertilizer application rate, and mulching criteria shall be in conformance with approved County USDA Natural Resource Conservation Service (NRCS) Generic Native Seeding mix, unless otherwise specified by property owner or governing agency.
- Decompaction will be performed on all land if necessary or requested by the BIA.

Reclamation would occur throughout the operating lifetime of the line and/or after any ground-disturbing activities.

Monitoring would be required to ensure successful reclamation and implementation of any remedial efforts. Disturbed areas would be monitored to identify areas of excessive erosion, subsidence, and invasion of noxious weeds. Until the BIA has certified that reclamation is successful, periodic monitoring would be performed and reclamation efforts would be undertaken within any problem areas. Successful reclamation is defined to include the following observable factors: 1) reproduction of seeded and re-established species, 2) natural succession of plants from undisturbed adjacent communities, and 3) control or exclusion of noxious weeds.

The BIA has developed a weed management plan to facilitate the treatment of known and likely noxious/invasive weed species. If re-vegetation is not successful within two growing seasons, the BIA may require extra efforts to stabilize the site. These efforts include matting the affected area or using a mix of rapidly growing forbs and annual grasses, followed by reseeding with grasses, forbs, and shrubs with rapidly expanding, deep-root systems.

3.3 Alternative Route

BEPC evaluated several alternative routes in the area, including an option approximately three miles west of the proposed route (Figure 1). The Alternative Route included significant areas of unstable soil that is prone to landslides. Furthermore, the alternative required more structures and permanent impacts to the area including more vegetation clearing and ground disturbance.

The proposed route follows other existing infrastructure (i.e., pipelines, 115-kV transmission line) and can better utilize existing access routes to minimize ground disturbing activities. The selected location minimizes the construction impacts for the proposed Project and provides a safer area for construction, operation, and maintenance.

3.4 The No-action Alternative

The No-action Alternative must be considered within an EA. If this alternative were selected, the BIA would not approve the ROW or other administrative proposals for the proposed Project. The Project, as proposed, would not be constructed, and neither the benefits nor the impacts outlined in this EA would be realized.

4.0 The Affected Environment and Potential Impacts

The FBIR is the home of the TAT of the MHA Nation. Located in west-central North Dakota, the FBIR encompasses more than one million acres, of which almost half are held in trust by the U.S. The remainder of the land is owned in fee simple title, sometimes by the MHA Nation or tribal members, but usually by nonmembers. The FBIR occupies portions of six counties, including McKenzie, Dunn, McLean, Mercer, Mountrail, and Ward. In 1945, the Garrison Dam was completed, inundating much of the FBIR. The remaining land was divided into three sections near Lake Sakakawea, an impoundment of the Missouri River upstream of the Garrison Dam.

The FBIR is within the Northern Great Plains ecoregion, which consists of four physiographic units:

- Missouri Coteau Slope north of Lake Sakakawea
- Missouri River Trench (not flooded)
- Little Missouri River Badlands
- Missouri Plateau south and west of Lake Sakakawea

Much of the FBIR is located on the Missouri Coteau Slope sub-ecoregion and is comprised of a glaciated, gently rolling landscape. Elevations of the FBIR range from 1,838 feet at Lake Sakakawea to over 2,600 feet on Phaelan's Butte near Mandaree. Annual precipitation averages between 15 and 17 inches. Mean temperatures fluctuate between -3 degrees (°) and 21°F in January, and between 55° and 83°F in July, with 95 to 130 frost-free days each year (Bryce et al. 1998, High Plains Regional Climate Center 2008).

The specific Project location was inspected by the proponent, BIA environmental specialists, archeologists, and the environmental consultant. Resource surveys were conducted prior to the time of on-site inspections to determine potential affects to cultural, biological, and physical resources such as topography, natural drainage, and erosion control, location of topsoil and subsoil stockpiles, flora, fauna, and wildlife habitat.

The broad definition of human and natural environment under NEPA leads to the consideration of the following elements:

- Air quality
- Public health and safety
- Water resources
- Wetland/riparian habitat
- Threatened and endangered species
- Soils
- Vegetation and invasive species
- Cultural resources
- Socioeconomic condition
- Environmental Justice (EJ)

Potential impacts to these elements are analyzed for both the No-action Alternative and the Project. Impacts may be beneficial or detrimental, direct or indirect, and short-term or long-term. The EA also analyzes the potential for cumulative impacts and, ultimately, makes a determination as to the significance of any impacts. In the absence of significant negative consequences, it should be noted that a significant benefit from the Project does *not* in itself require preparation of an EIS. After consideration of the No-action Alternative, existing conditions and potential impacts from the proposed Project are described below.

4.1 Air Quality

The North Dakota Department of Environmental Quality network of Ambient Air Quality Monitoring stations includes Theodore Roosevelt National Park (TRNP)—North Unit in McKenzie County, Dunn Center in Dunn County, Beulah in Mercer County, and Lostwood in Burke County. These stations are located north, west, south, and southeast of the proposed well site. Criteria pollutants tracked under National Ambient Air Quality Standards (NAAQS; USEPA 2014) of the Clean Air Act (1970) include sulfur dioxide (SO₂), particulate matter (PM₁₀), nitrogen dioxide (NO₂), and ozone (O₃). Two other criteria pollutants, lead (Pb) and carbon monoxide (CO), are not monitored by these stations. Table 4 summarizes federal air quality standards and available air quality data from the 4-county study area. Neither state nor federal pollution standards were exceeded at the monitoring sites in 2021 (North Dakota Department of Health 2022).

Table 4. Summary of Federal Air Quality Standards and Available Air Quality Data.

Pollutant	Averaging Period	NAAQS (µg/m ³)	NAAQS (ppb)	County			
				Burke	Dunn	McKenzie	Mercer
SO ₂	1-Hour	–	75	21 ppb	6 ppb	5 ppb	27 ppb
PM ₁₀	24-Hour	150	–	82 µg/m ³	82 µg/m ³	101 µg/m ³	118 µg/m ³
PM _{2.5}	24-Hour	35	–	20 µg/m ³	20 µg/m ³	20 µg/m ³	21 µg/m ³
	3-Year Ave.	12	–	5.4 µg/m ³	5.3 µg/m ³	4.8 µg/m ³	5.7 µg/m ³
NO ₂	1-Hour	–	100	11 ppb	11 ppb	10 ppb	17 ppb
	1-Year Ave.	–	53	2.03 ppb	2.25 ppb	1.48 ppb	2.67 ppb
O ₃	8-Hour	147	70	56 ppb	61 ppb	58 ppb	58 ppb

Source: North Dakota Department of Health 2022.

NAAQS = National Ambient Air Quality Standards; SO₂ = sulfur dioxide; PM₁₀ = particulate matter; PM_{2.5} = particles that are 2.5 microns or less, NO₂ = nitrogen dioxide; O₃ = ozone; Ave. = average; µg/m³ = microgram; ppb = parts per billion.

The Clean Air Act mandates prevention of significant deterioration in designated attainment areas. Class I areas are of national significance and include national parks greater than 6,000 acres in size, national monuments, national seashores, and federal wilderness areas larger than 5,000 acres and designated prior to 1977. There is a Class I air shed at TRNP. TRNP covers three units of approximately 110 square miles within the Little Missouri National Grassland between Medora and Watford City. The nearest unit (TRNP North Unit) is located approximately 50 miles west of the proposed Project. The FBIR can be considered a Class II attainment air shed, which affords it a lower level of protection from significant deterioration.

Utility line construction and traffic would generate air emissions; however, no permanent environmental impacts to air quality related to the operation of the electrical lines are expected. Insignificant temporary effects on air quality may occur during construction of the proposed Project because of diesel emissions from construction equipment and other vehicles. Fugitive dust would be generated during Project construction; however, due to the temporary nature of construction, it would not surpass the thresholds set for minor sources, and no air quality permits are required by the U.S. Environmental Protection Agency (USEPA).

No detectable or long-term impacts to air quality or visibility are expected within the air sheds of the FBIR, State, or TRNP. No laws, regulations or other requirements have been waived; no monitoring or compensatory measures are required.

4.2 Public Health and Safety

Health and safety concerns include fugitive dust, noise generated from construction activities, heavy truck traffic, and equipment hazards during construction, hazardous materials used or generated

during installation, and hazards posed by haul trucks. The Project would not negatively affect traffic patterns through road closures, resulting in detours and delays. The USEPA specifies chemical reporting under Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, as amended. No materials used or generated by this Project for production, use, storage, transport, or disposal are on the SARA list or the EPA's list of extremely hazardous substances in 40 CFR 355 (2008).

Vehicles used for maintenance and construction may use coolant containing ethylene glycol. Herbicidal products that may be used for maintenance may include: Tordon RTU, which contains 2,4-Dichlorophenoxyacetic acid, Picloram, isopropanol, ethylene glycol, triisopropanolamine, and ethylenediamine tetraacetic acid and Gordons Amine 2-4 D Weed Killer, which contains two 4-D dimethylamine salt.

Negative impacts from the proposed Project are temporary and considered minimal, unlikely, or insignificant. No laws, regulations, or requirements have been waived; no compensatory mitigation measures are required.

4.2.1 Potential Impacts to Public Health and Safety

Impacts from construction would be largely temporary. Noise, fugitive dust, and traffic hazards would be present during site construction and operation. Haul trucks are required to follow established load restrictions for state and BIA roadways and to acquire the appropriate haul permits. All traffic must be confined to approved routes and conform to load and speed limits.

The public benefits include adding critical electrical delivery capacity to facilitate economic growth and adding critical redundancy to reduce potential for load shedding or electric outages.

4.3 Water Resources

4.3.1 Surface Water

The surface water resources in the Project area would be managed and protected according to existing federal laws and policies regarding the use, storage, and disposal of the resource during the construction and operation of the Project. Surface water use and protection is administered under the following federal laws:

- Clean Water Act of 1972, as amended (33 USC 1251 et seq.)
- NEPA of 1970 (42 USC 4321)
- Safe Drinking Water Act of 1974, as amended (42 USC 300 et seq.)
- Federal Land Policy and Management Act of 1976 (43 USC 1711-1712)

The Project is located on a glaciated upland in the Missouri River Regional Water Basin. Surface water runoff generally starts as sheet-flow until collected by ephemeral drainages leading to Lake Sakakawea. The ephemeral drainages, in turn, combine to form intermittent and/or perennial streams that flow into Lake Sakakawea. Lake Sakakawea is part of the Missouri River sub-regional watershed and is the receiving water for runoff from the land area surrounding the Project.

The Project area is located within the Lake Sakakawea and Lower Little Missouri Sub-Basins, the Burnt Creek-Little Missouri River and Bear Den Creek Watersheds, and the Sub-Watersheds of Headwaters Bear Den Creek, Deep Creek-Little Missouri River, Lost Bridge-Little Missouri River, Big Gulch, and Bear Creek (Figure 3). The National Hydrography Dataset indicates the ROW crosses three intermittent streams.

National Wetlands Inventory data prepared and maintained by the U.S. Fish and Wildlife Service (USFWS) indicates the ROW crosses one wetland, one pond, and three riverine signatures. In addition, the proposed access roads cross two wetland signatures, three ponds, and four riverine signatures (USFWS 2023).

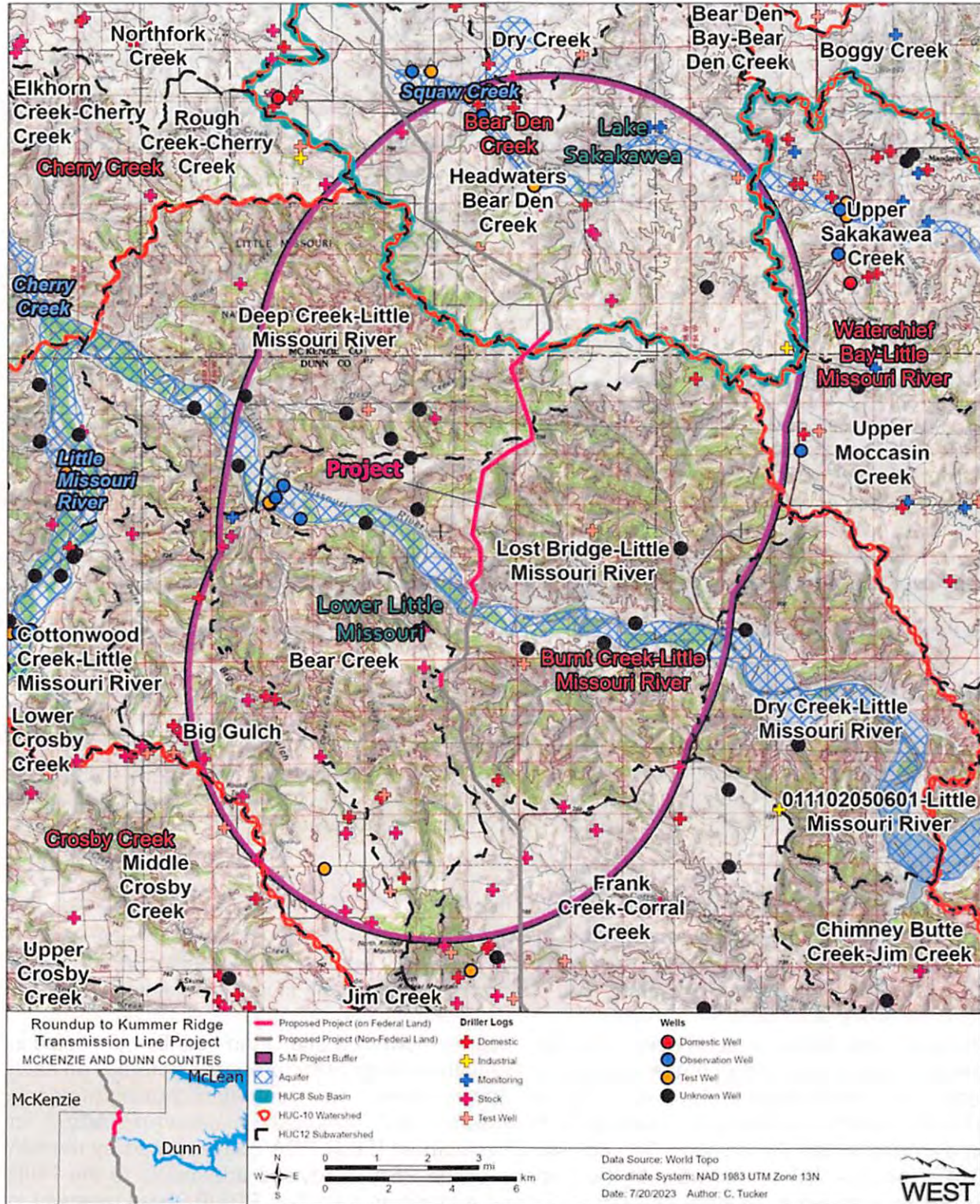


Figure 3. Hydrologic Unit Codes, Driller Logs, and Wells.

The field survey of the Project's ROW and access identified five wetlands and three waterbodies. The attributes of these features are detailed in Table 5. The features are depicted on the field survey

maps included in Appendix B. No structures would be placed in wetlands or waterbodies. These features would be spanned by the transmission line.

Table 5. Wetland and Waterbody Field Survey Results.

Feature	Name	Classification	Twp-Rng-Sec	Acres	Location
Wetland	Wetland 1	PEMC	148-95-6	0.11	ROW
Wetland	Wetland 2	PEMC	148-95-6	0.50	ROW
Wetland	Wetland 3	PEMA	148-95-7	0.07	ROW
Wetland	Wetland 4	PEMC	148-96-25	1.04	ROW
Wetland	Wetland 5	PEMC	148-96-25	0.09	Access Road
Waterbody	Waterbody 1	Intermittent	148-95-6	0.02	ROW
Waterbody	Waterbody 2	Intermittent	148-96-24	0.03	ROW
Waterbody	Waterbody 3	Ephemeral	148-96-13	0.03	ROW

ROW = Right-of Way.

4.3.2 Groundwater

The principal uses of groundwater in McKenzie and Dunn counties is for domestic and livestock supplies, public supplies, industrial supplies, and irrigation. Groundwater is obtainable for aquifers in the preglacial rocks and from aquifers in the glacial drift (Klausing 1979, Croft 1985). Aquifers provide a source of water to man-made wells. The Project would not require the addition of any new wells that would draw water from the aquifer system. Seepage and infiltration of hazardous materials is considered unlikely due to the nature of the Project. No actions associated with the Project would occur at a depth that would affect groundwater resources.

4.4 Wildlife and Habitat

4.4.1 Species of Concern

Assessments for federally listed as threatened and endangered species were conducted by evaluating historic and present occurrences and by determining if potential habitat exists within the Project area. A determination was made concerning direct and cumulative effects of the proposed activities on each species and habitat. Determinations made for federally listed species are:

- No effect
- May affect, but is not likely to adversely affect
- May affect, and is likely to adversely affect
- Is likely to jeopardize a proposed species or adversely modify critical habitat
- Is not likely to jeopardize a proposed species or adversely modify critical habitat

Threatened and endangered species that may occur in McKenzie and Dunn counties are listed in Table 6. Determinations concerning direct and cumulative effects of the proposed activities on each species and their habitat are presented below. Species effects were determined using protocols established in the *Programmatic Biological Assessment and Biological Evaluation (PBA/BE) for Fort Berthold Indian Reservation Oil and Gas Development (FBIR PBA/BE)* prepared by the BIA (2014). The USFWS concurred with the findings of the PBA. A revised addendum to the FBIR PBA/BE was issued in October of 2015. A second addendum to the FBIR PBA/BE was released in 2021.

Table 6. Threatened and Endangered Species and Designated Critical Habitat.

Species	Status	Project Effects Determination
Gray Wolf (<i>Canis lupus</i>)	Endangered	No effect
Pallid Sturgeon (<i>Scaphirhynchus albus</i>)	Endangered	May affect, is not likely to adversely affect
Piping Plover (<i>Charadrius melodus</i>)	Threatened	May affect, is not likely to adversely affect
Piping Plover Critical Habitat	Designated	no effect
Whooping Crane (<i>Grus americana</i>)	Endangered	May affect, is not likely to adversely affect
Dakota Skipper (<i>Hesperia dacotae</i>)	Endangered	May affect, is not likely to adversely affect
Dakota Skipper Critical Habitat	Designated	No effect
Northern Long-Eared Bat (<i>Myotis septentrionalis</i>)	Endangered	No effect
Rufa Red Knot (<i>Calidris canutus rufa</i>)	Threatened	No effect

Source: U.S. Fish and Wildlife Service 2023.

4.4.2 Species Assessments

Assessments for federally listed as threatened and endangered species were conducted by evaluating historic and present occurrences and by determining if potential habitat exists within the Project area. A determination was made concerning direct and cumulative effects of the proposed activities on each species and habitat. Determinations made for federally listed species are:

- No effect
- May affect, but is not likely to adversely affect
- May affect, and is likely to adversely affect
- Is likely to jeopardize a proposed species or adversely modify critical habitat
- Is not likely to jeopardize a proposed species or adversely modify critical habitat

Determinations concerning direct and cumulative effects of the proposed activities on each species and their habitat are presented below.

Species effects were determined using protocols established in the FBIR PBA/BE prepared by the BIA (2014). The USFWS concurred with the findings of the PBA on June 4, 2014. A revised addendum to the FBIR PBA/BE was issued in October of 2015. USFWS concurrence letters with the protocols and affect determinations of the FBIR PBA/BE and its addendum are included in Appendix C. Historical locations of species sightings and designated critical habitat, as determined from database record searches, are depicted in Figure 4.

Effects to the black-footed ferret (*Mustela nigripes*) were analyzed and discussed in the PBA (a **no effect** determination). Since the time the PBA was published, the USFWS has removed the black-footed ferret from the list of potentially occurring endangered species in North Dakota.

4.4.2.1 Gray Wolf

North Dakota does not have a breeding population of gray wolves (*Canis lupus*); however, rural areas throughout the state function as dispersal corridors for wolves representing the Western Great Lakes distinct population segment (DPS) and the Northern Rocky Mountain DPS. Dispersal habitat may be important for maintaining gene flow between DPSs. Wolves are listed as endangered wherever found in North Dakota.

There have been three verified gray wolf sightings in McKenzie County and one in Dunn County. The nearest verified sighting occurred approximately 2.1 miles east of the Project area in Section 20, T148N, R95W of Dunn County (North Dakota Game and Fish Department [NDGFD] 2023).

The net effect of this Project would result in the temporary modification and minimal permanent conversion of dispersal habitat within the Project Area. The construction of the Project is unlikely to hinder potential gray wolf dispersal. In addition, no rendezvous sites, den sites, den sites, or pack activity is known to occur within the listed portion of the gray wolf range or non-listed portion in North Dakota. Therefore, this Project would have no effect on the gray wolf species.

4.4.2.2 Pallid Sturgeon

Pallid sturgeon (*Scaphirhynchus albus*) are found in the Mississippi, Missouri, and Yellowstone River systems and are adapted for living close to the bottom of large, shallow rivers with sand and gravel bars. Pallid sturgeon populations in North Dakota have decreased since the 1960s (Grondahl and Martin 1997). Weighing up to 85 pounds, pallid sturgeons are long-lived, with individuals possibly reaching 50 years of age.

A known pallid sturgeon population occurs from the Missouri River below Fort Peck Dam to the headwaters of Lake Sakakawea and the Lower Yellowstone River up the confluence of the Tongue River, Montana (USFWS 2007). Factors leading to the decline of the pallid sturgeon and a listing as an endangered species by the USFWS in 1990 include the alteration of habitat through river channelization, creation of impoundments, and alteration of water flow regimes (USFWS 1990). The effect from these alterations within the Missouri River have reduced food sources by lowering productivity, destroying spawning habitat, altered flow conditions, which can delay spawning cues, and blocked movements to spawning, feeding, and rearing areas (USFWS 2007).

The Project is proposed to cross the Little Missouri River, a tributary to the Missouri River system. Due to the nature of the Project, no impacts to the Little Missouri River or Lake Sakakawea are anticipated during construction and/or operation. Therefore, it is reasonable to expect the activities associated with the Project **may affect, but is not likely to affect**, this species.

4.4.2.3 Piping Plover and Critical Habitat

The piping plover (*Charadrius melodus*) is a migratory shorebird that breeds in North Dakota. Suitable nesting habitat for piping plovers in the Missouri River system is characterized as sparsely vegetated channel sandbars, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel. The piping plover feeds on worms (*Annelida* spp.), insects, and mollusk (*Mollusca* spp.). Degradation of habitat related to the channelization river systems, nest predation, and human disturbance has led to the decline of piping plover populations.

Critical habitat for the Northern Great Plains piping plover has been designated on alkali lakes and wetlands, the Yellowstone River, and Missouri River in North Dakota. The physical and biological features that are essential to the conservation of the species, referred to as the primary constituent elements, require special consideration for protection. These include sparsely vegetated alkaline wetlands, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel, all protected from disturbance.

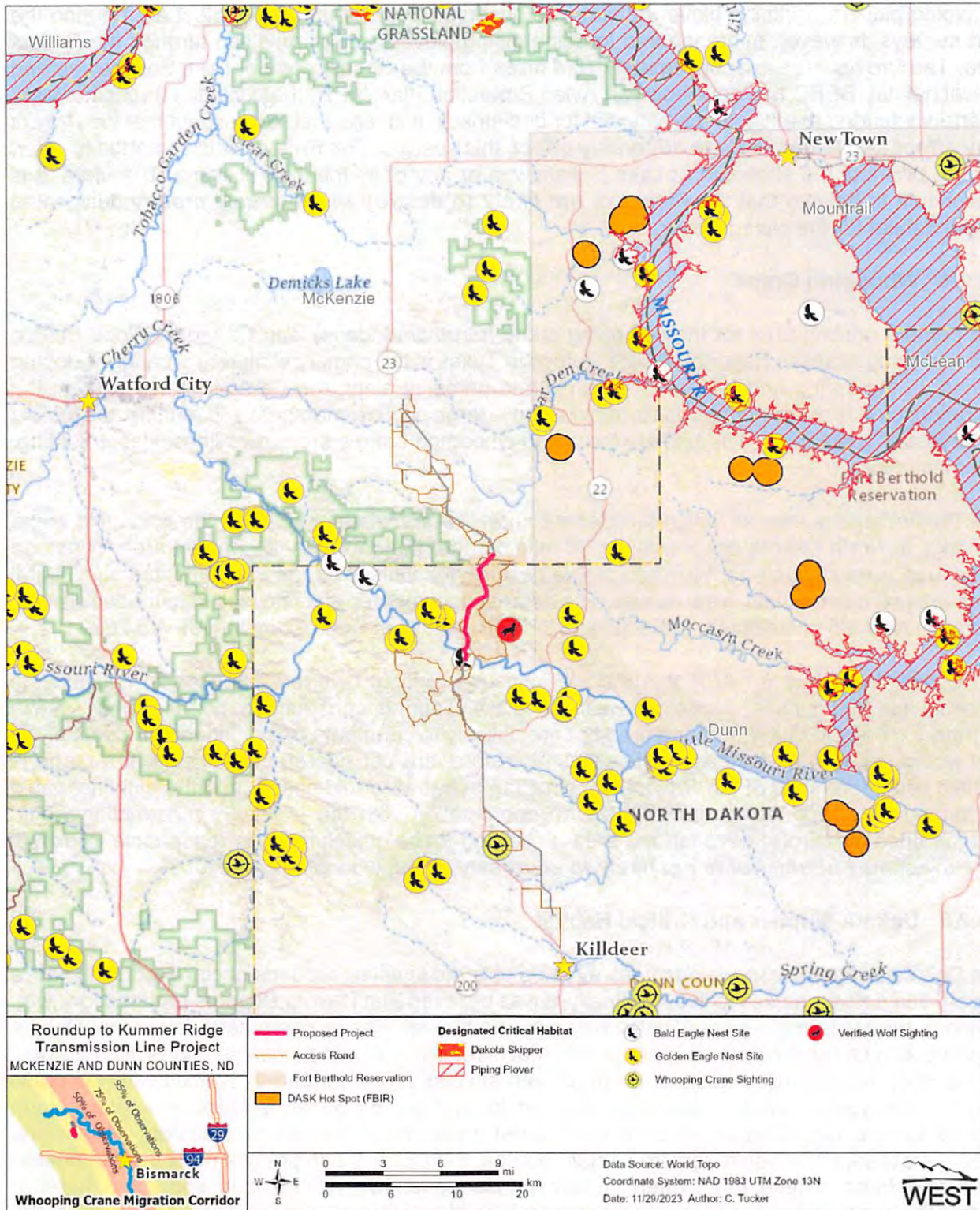


Figure 4. Wildlife Species of Concern Sighting and Designated Critical Habitat.

No piping plovers or piping plover habitat was observed in or around the Project area during the field surveys; however, migrating and foraging piping plovers could transition through the Project area. The Project area is approximately 10.4 miles from the closest point of Lake Sakakawea and critical habitat. BEPC has developed an Avian Protection Plan (APP) that includes the use of flight diverters intended to mitigate the potential for bird strikes. It is reasonable to expect that the Project **may affect, but is not likely to adversely affect**, this species. The Project would not modify, alter, disturb, or affect the shoreline of Lake Sakakawea or any of its tributary streams. Therefore, it is reasonable to believe that the Project is **not likely to destroy or adversely modify** designated critical habitat for the piping plover.

4.4.2.4 Whooping Crane

The primary nesting area for the whooping crane (*Grus americana*) is in Canada's Wood Buffalo National Park. Aransas National Wildlife Refuge in Texas is the primary wintering area for whooping cranes. In the spring and fall, the cranes migrate primarily along the Central Flyway. During the migration, cranes make numerous stops, roosting in large shallow marshes, and feeding and loafing in harvested grain fields. The primary threats to whooping cranes are power lines, illegal hunting, and habitat loss.

The Project area is located within the Central Flyway. Approximately 75% of the whooping crane sightings in North Dakota occur within a 90-mile corridor that includes the Project area. Land use in the area is mostly non-native mixed prairie pasture and Little Missouri Badlands, but agricultural fields are in the immediate area, as well. The nearest documented sighting was of four adult cranes, approximately 8.5 miles south, in Section 18, T146N, R95W of Dunn County (USFWS 2022a).

BEPC has developed an APP that includes the use of flight diverters intended to mitigate the potential for bird strikes. Noise and vehicle activity during construction activities may cause migratory cranes to divert from the area but are unlikely to contribute to any indirect or direct effect that would result in an increase of fatalities; therefore, are considered insignificant. If a crane is sighted within one mile of the Project, construction activities would cease, and the sighting would be immediately reported to the USFWS. In coordination with the USFWS, construction would resume once the bird(s) have left the area. Following these guidelines, it is reasonable to expect the Project **may affect, but is not likely to adversely**, affect whooping cranes.

4.4.2.5 Dakota Skipper and Critical Habitat

The Dakota skipper (*Hesperia dacotae*), a prairie obligate species, requires nectar-producing native flowers and native grasses to live. Originally, it was believed that Dakota skippers required low, wet, prairie dominated, and high-quality tall grass prairie habitat. Researchers have found that Dakota skippers also use upland mixed-grass prairie that is relatively dry and includes ridges and hillsides. These often have small inclusions of areas with species more commonly typified with tall grass prairie. This type of habitat, commonly referred to as Type B habitat, is found in western North Dakota. Larvae require grass components of mixed-grass prairie that include bluestem grasses and needle grasses, while adults require nectar sources; therefore, these prairies must include nectar-producing forbs. These most often include purple coneflower (*Echinacea* spp.) and harebell (*Campanula rotundifolia*), and in some cases include blanketflower (*Gaillardia aristata*) or wood lily (*Lilium philadelphicum*). Dakota skippers generally do not disperse widely (Swengel 1999), they do not cross habitats with structural differences (Dana 1991), and it is believed they would not disperse any farther than 0.6 miles (79 Federal Register 206 [2014]).

A field assessment of available habitat was conducted on May 9–10, 2023, by Western EcoSystems Technology, Inc. (WEST) biologists. The surveyed area was divided into similar habitat types. Daubenmire frames were used to sample the vegetation within areas that held potential to be habitat for the Dakota skipper. Areas dominated by woody vegetation, barren clay buttes, and areas

that have been previously disturbed were also delineated and were not considered potential habitat. The evaluation was conducted in accordance with parameters presented within the PBA/BE (BIA 2021). The Project does not fall within any areas of potential core habitat and is approximately 27.0 miles south from the nearest designated critical habitat and 5.9 miles southwest of the nearest FBIR Dakota skipper hotspot.

Eight habitat types were defined within ROW. Additionally, 96.5 acres of previous disturbances and 95.2 acres of woody vegetation were delineated and excluded from consideration as potential Dakota skipper habitat. Vegetation sampling results are described in the Dakota Skipper Habitat Analysis Forms (Appendix D). The field assessment concluded that two habitat types (Habitat 5 and Habitat 8) exhibit the requisite vegetation species to be considered high-quality habitat (i.e., Dakota skipper larval habitat). Habitat 5 was identified in two areas within Section 25, T148N, R96W, and totaling 2.1 acres. Habitat 8 was found in one location (0.6 acres) in Section 7, T148N, R95W and one location (0.2 acres) in Section 13, T148N, R96W. The remaining habitat types were determined to not provide suitable habitat for the Dakota.

The Project has been designed to avoid disturbing the areas of potential Dakota skipper habitat identified during the field assessment. No structures would be placed in these potential habitats and vehicle travel would be restricted from these areas. Habitat areas would be delineated with visible temporary fencing (i.e., snow fence, T-posts with flags, etc.) to clearly direct traffic and construction activities. Additionally, BEPC would control dust during construction activities by watering the ROW near habitat areas to minimize dust that may affect the life stages of the Dakota Skipper and requisite plant species.

Following these guidelines, the Project **may affect, but is not likely to adversely affect**, this species. The Project would not modify, alter, disturb, or affect designated critical habitat. Therefore, it is reasonable to believe the outcome from the Project is **not likely to destroy or adversely modify** designated critical habitat for the Dakota skipper.

4.4.2.6 Northern Long-eared Bat

The northern long-eared bat (NLEB; *Myotis septentrionalis*) is a forest dwelling bat. The home range of the NLEB is approximately 150 acres, including a summer and winter habitat. In the summer, NLEBs roost under bark or in crevices of trees, preferring to roost in tall trees and under the exfoliating bark of dead or dying trees. In the winter, NLEBs hibernate in caves and mines. The NLEB prefers foraging in edge habitats and forests comprising trees with a diversity of life stages.

No known occurrences of the NLEB have occurred on the FBIR and occurrences in the state are uncertain. Furthermore, there are no known hibernacula in McKenzie or Dunn counties (NDGFD 2022). White-nose syndrome (WNS) is the predominant threat to the NLEB currently. Western North Dakota is included in the current extent of WNS.

The USFWS published a final rule reclassifying the NLEB from “threatened” to an “endangered” species on November 30, 2022. The reclassification of the NLEB to an endangered species nullifies the section 4(d) rule that previously allowed unintentional take. Preliminary mitigation measures include avoiding tree cutting in NLEB habitat during the active season (March 31 – November 1) or conducting presence/absence surveys if tree cutting must be conducted during the active season.

The proposed Project falls within the known range of the NLEB; however, no documented occurrences have been recorded on the FBIR. To avoid potential impacts to the NLEB, the Project would conduct necessary tree clearing outside of the active season. If small-scale tree removal is necessary during the active season, NLEB occupancy survey would be implemented.

Based on the analysis of the Project, the status of the NLEB on the FBIR, and incorporation of avoidance or minimization it is determined that the Project **may affect, but is not likely to adversely affect**, the NLEB

4.4.2.7 Rufa Red Knot

The rufa red knot (*Calidris canutus rufa*) is a shorebird that breeds in the central Canadian Arctic, with primary breeding grounds in Nunavut Territory, with some potential breeding habitat extending into the Northwest Territories (USFWS 2013). The rufa red knot winters along the Atlantic coasts of Argentina and Chile (particularly the island of Tierra del Fuego), the north coast of Brazil, and further north into Mexico and the southeast U.S. (USFWS 2014). During migration, the rufa red knot primarily follows the Atlantic coastline to and from breeding and wintering grounds. However, geolocator results from red knots wintering in Texas showed that some birds migrate using a central flyway across the Midwestern U.S. and may have a northern Great Plains stopover (USFWS 2013). Rufa red knots spend two to three months at breeding sites in northern Canada.

Rufa red knots are specialized molluscivores, feeding primarily on hard-shelled mollusks in soft wet sand/sediment (USFWS 2014). In addition to mollusks, red knots may feed upon shrimp (*Caridea* spp.), crabs (*Brachyura* spp.), marine worms (*Polychaetes* spp.), horseshoe crab (*Limulus polyphemus*) eggs, and other similar invertebrates. On the breeding ground, rufa red knots feed mostly on terrestrial invertebrates and grass shoots/seeds (USFWS 2013).

The shoreline of the Missouri River provides stopover habitat for the red knot. Although some individuals may stopover in North Dakota during annual migrations, the species is rare and is not reported in North Dakota every year. Reported historical sightings since 1900 (Igl 2015), are primarily one or a few birds; however, larger flocks have been reported. Most of these sightings have been made in the prairie pothole region during the spring migration in late April through May. There have been no sightings reported in McKenzie County. An increase in future sightings may result from an increase in public awareness.

The rufa red knot migrates annually from its breeding grounds in the Arctic to wintering habitat in southern climates. It does not nest in North Dakota, but may use areas along the Missouri River as stopover habitat. The Project area is approximately 10.4 miles from the closest point of Lake Sakakawea. It is determined construction of the Project would have **no effect** on this species.

4.4.3 Migratory Birds and other Wildlife

Proposed development in the area may affect migratory bird species through direct mortality, habitat degradation, and/or displacement of individual birds. These species are protected by the Migratory Bird Treaty Act (916 USC 703-711 [1918]). The possible stressors to migratory birds from the proposed Project include increased pedestrian and light duty vehicle traffic during initial site investigations, heavy equipment used during construction, increased vehicle traffic to and from location, and heavy equipment operation on location during line installation. This would result in increased noise and air pollution above the current environmental baseline of the area.

The Project is located within both the Missouri Plateau and Little Missouri Badlands portion of the Northwestern Great Plains ecoregion. The Missouri Plateau is characterized as being an area made up of unglaciated, rolling plain of shale and sandstone punctuated by occasional buttes, badlands terrain, and river breaks. The Little Missouri Badlands are described as a gothic erosional landscape formed by the Little Missouri River. Direct wildlife observations may be affected by time of day, time of year, etc. Wildlife that typically uses the area includes mule deer (*Odocoileus hemionus*), white-tailed deer (*O. virginianus*), pronghorn (*Antilocapra americana*), coyotes (*C. latrans*), sharp-tailed grouse (*Tympanuchus phasianellus*), golden eagles (*Aquila chrysaetos*), small mammals, and a variety of grassland birds.

Due to seasonal timing, a pedestrian survey for migratory bird species was not conducted during the on-site natural resource evaluation. Sharptailed grouse, mule deer, northern harrier (*Circus hudsonius*), coyote, western meadowlark (*Sturnella neglecta*), and American crow (*Corvus brachyrhynchos*) were observed during the on-site evaluation.

Minimal or no impacts on listed species are expected due to the low likelihood of their occurrence or habitat use within the Project area. Ground clearing may affect habitat for unlisted species, including small birds, ground dwelling mammals, and other wildlife species. The proposed Project may affect raptor and migratory bird species through direct mortality, habitat degradation, and/or displacement of individual birds. Fragmentation of native prairie habitat is a specific concern for grouse species. High value wildlife habitat would not be compromised by Project development, but there would be an overall loss of grassland cover.

Since suitable nesting habitat for ground and tree nesting migratory birds (including raptors) does exist within the Project ROW, a migratory bird nesting survey would be conducted five days prior to construction if construction occurs during the nesting season (February 1 – July 15). However, if the Project area is mowed or cleared of vegetation outside of the nesting season (July 16 – January 31) and vegetative growth is inhibited until commencement of construction activities, then pre-construction migratory bird surveys would not be necessary. If nests were discovered during the surveys, the BIA and the USFWS would be consulted for additional information on how to proceed. Recommended mitigation measures would be implemented to avoid any disturbance to migratory bird nest locations.

BEPC has developed an APP to protect and conserve avian species by reducing risks that result from avian interactions with utility facilities. Through the APP, BEPC would continue to incorporate avian protection practices into its construction and maintenance practices. A copy of BEPC's APP can be found in Appendix E.

In addition, bird flight diverters would be placed on overhead lines following recommendations of the Avian Power Line Interaction Committee (APLIC). Flight diverters would be placed 45 feet apart on a single wire; staggered at 15-foot intervals on three phase wires.

4.4.4 Bald and Golden Eagles

Proposed Project development may affect bald (*Haliaeetus leucocephalus*) and golden eagles through direct mortality, habitat degradation, and/or displacement of individual birds. These impacts are regulated in part through the Migratory Bird Treaty Act (916 USC 703-711 [1918]) and the Bald and Golden Eagle Protection Act (16 USC 668–668c [1940]).

The Project is located within the primary nesting range of the golden eagle. The buttes and badlands around Lake Sakakawea make for suitable foraging and nesting habitat for both golden and bald eagles. Golden and bald eagles do have the potential to pass through the Project area.

The closest known active eagle nest location is a bald eagle tree nest located approximately 400 feet south of the Project on North Dakota State Trust Land (Figure 4). BEPC has applied to the USFWS for a Nest Disturbance permit.

If any new nest were discovered prior to construction, the BIA and the USFWS would be consulted for additional information on how to proceed. Recommended mitigation measures would be implemented to avoid any disturbance of bald and golden eagle nesting sites.

4.5 Soils

The U.S. Department of Agriculture Natural Resource Conservation Service (2023) soils data was reviewed prior to the on-site assessment and verified during the field visit. Slopes within the Project area range from 0–70% inclines with the Badland-Arikara-Cabbart complex comprising the highest percentage within the Project ROW at 49.7% (Figure 5, Table 7). The soils within the proposed ROW are predominantly loams and silt-loams.

The proposed Project ROW is not expected to create uncontrollable erosional issues or interfere with reclamation of the area. Any area stripped of vegetation during construction would be seeded following construction activities. The implementation of BMPs by the operator would reduce Project effects and maintain negligible levels of erosion; therefore, no significant adverse impacts to soil resources are anticipated. The location would be monitored for erosion, and BMPs including silt fence and straw wattles would be placed to control erosion as discussed.

Table 7. Soils in the Project's Survey Area.

Map/Unit Symbol	Map/Unit Name	Proposed Disturbance Area
		Acres
L3197F	Badland, 9-150% slopes	0.2
L3203C	Lonna silt loam, 6-9% slopes	2.0
L1639B	Chinook-Rhame fine sandy loams, 3-6% slopes	2.3
L4209B	Hanly fine sandy loam, 0-6% slopes, occasionally flooded	3.1
E1403D	Beisigl-Flasher-Telfer loamy fine sands, 6-15% slopes	4.6
E1865B	Tally-Pashall fine sandy loams, 2-6% slopes	4.8
L1355C	Rhame-Chinook fine sandy loams, 6-9% slopes	5.1
E1635C	Vebar-Tally find sandy loams, 6-9% slopes	5.9
E1333B	Vebar-Cohagen fine sandy loams, 3-6% slopes	6.1
E1333D	Vebar-Cohagen fine sandy loams, 9-15% slopes	6.9
E1805B	Lihen-Parshall complex, 0-6% slopes	8.4
L0516B	Gerda-Maltese complex, 0-6% slopes	10.9
L2621F	Cabbart-Kremlin-Boxwell loams, 9-40% slopes	11.6
L1355D	Rhame-Chinook fine sandy loams, 9-15% slopes	18.8
L1661F	Rhame-Arikara-Fleak complex, 9-70% slopes	20.6
L3199F	Arikara-Cabbart loams, 15-70% slopes	27.9
L1425F	Rhame-Fleak complex, 9-50% slopes	46.1
L3191F	Badland-Arikara-Cabbat complex, 15-70% slopes	49.7
Totals		235.0

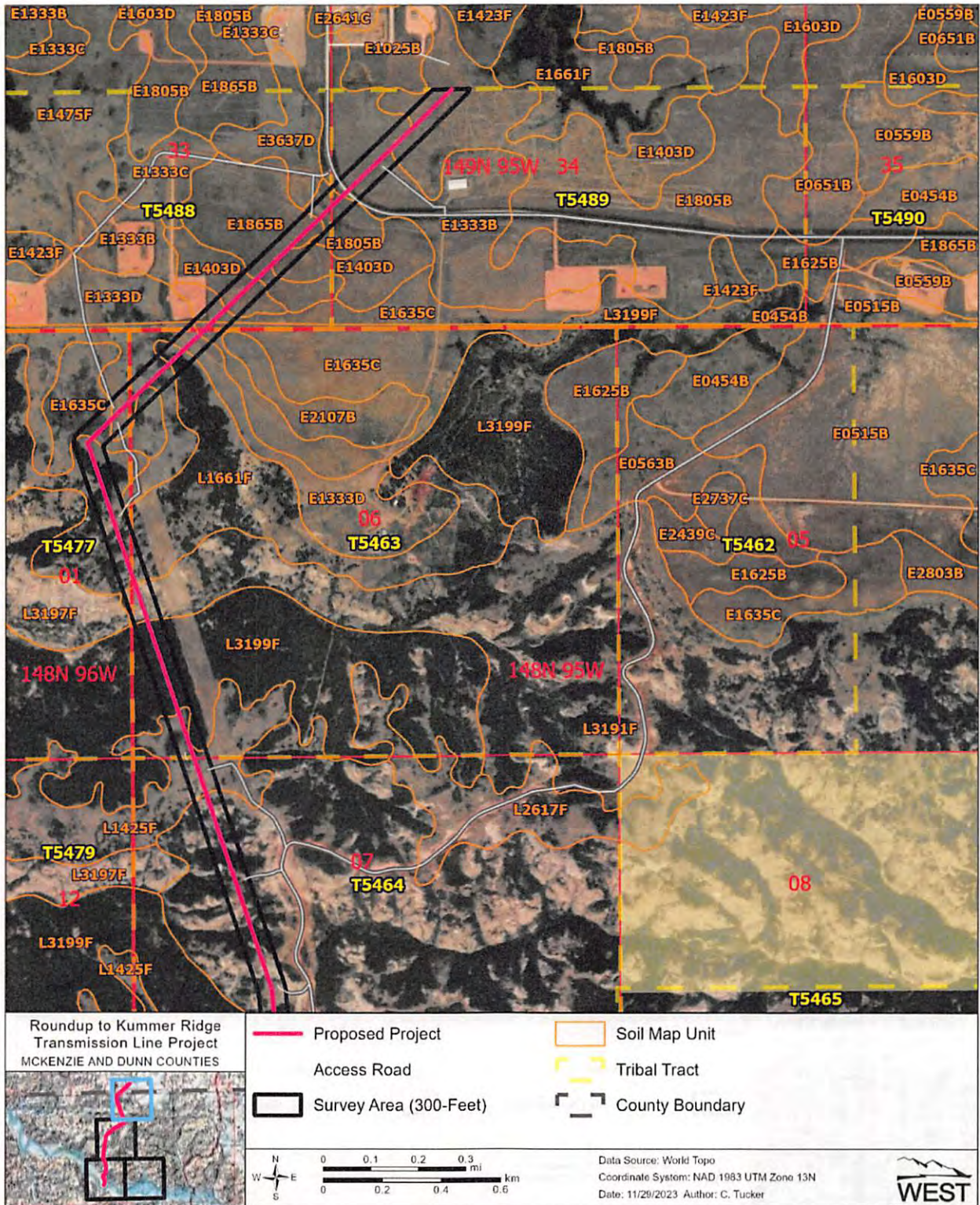


Figure 5. Soils Map Units.

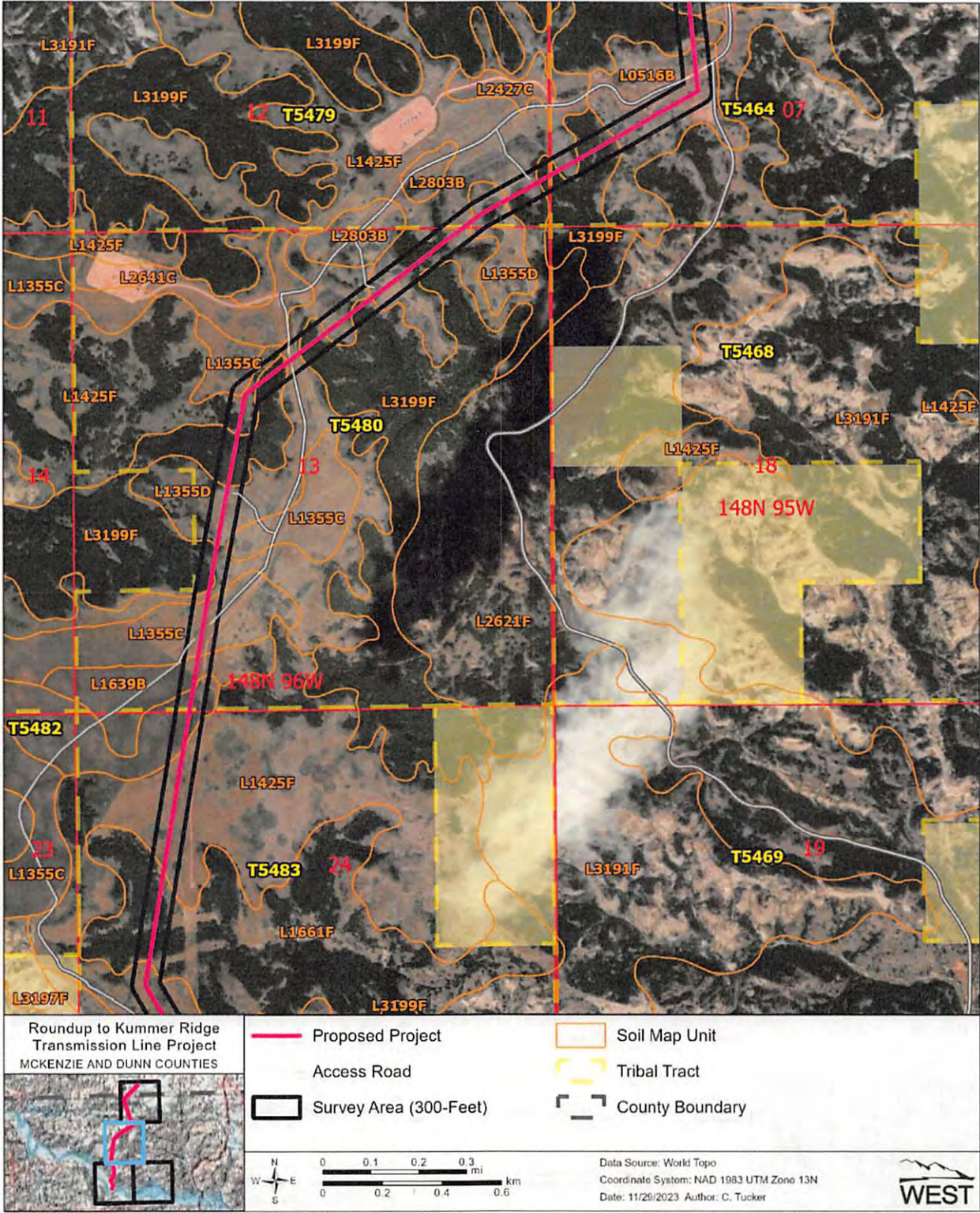


Figure 5 (continued). Soils Map Units.

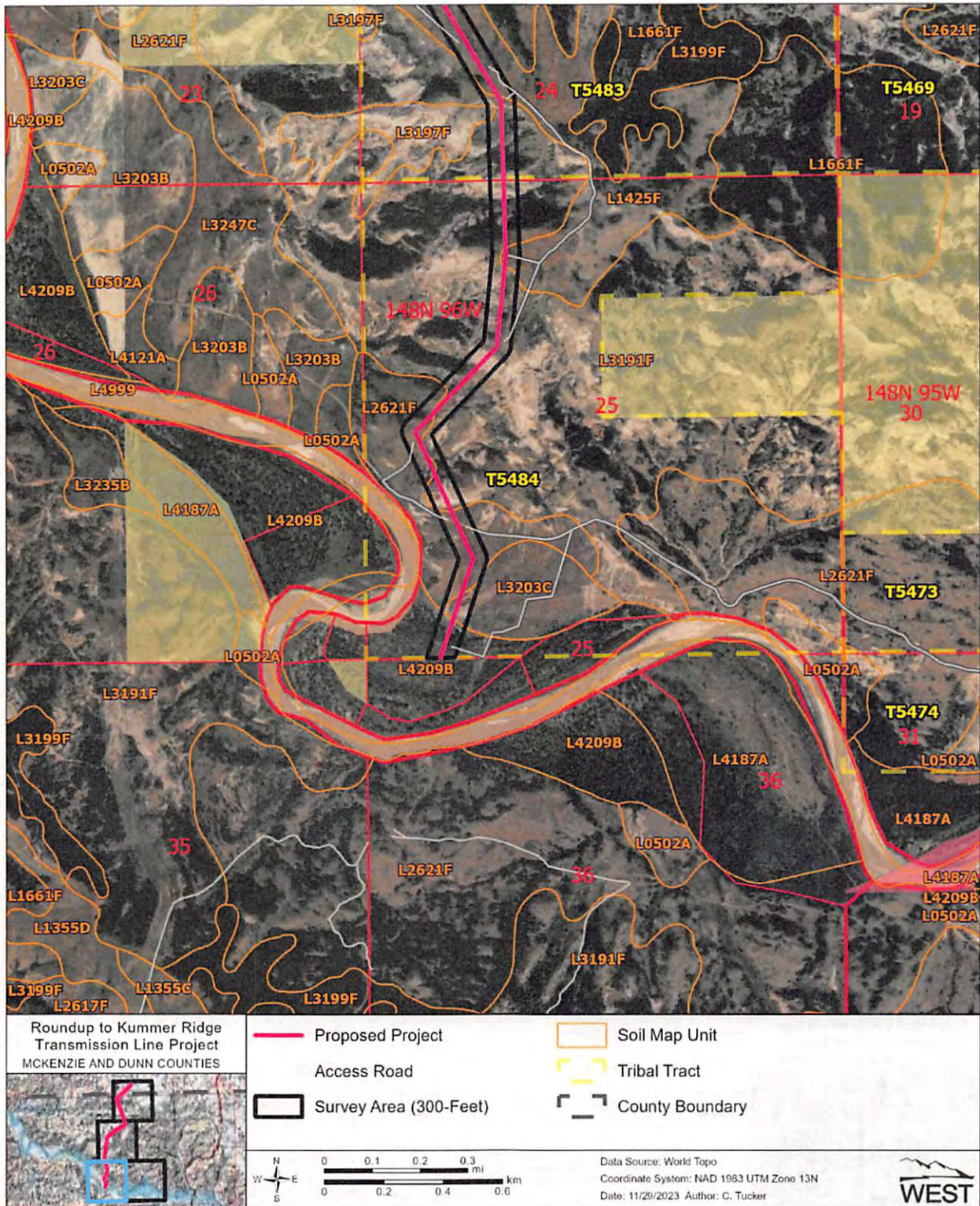


Figure 5 (continued). Soils Map Units.

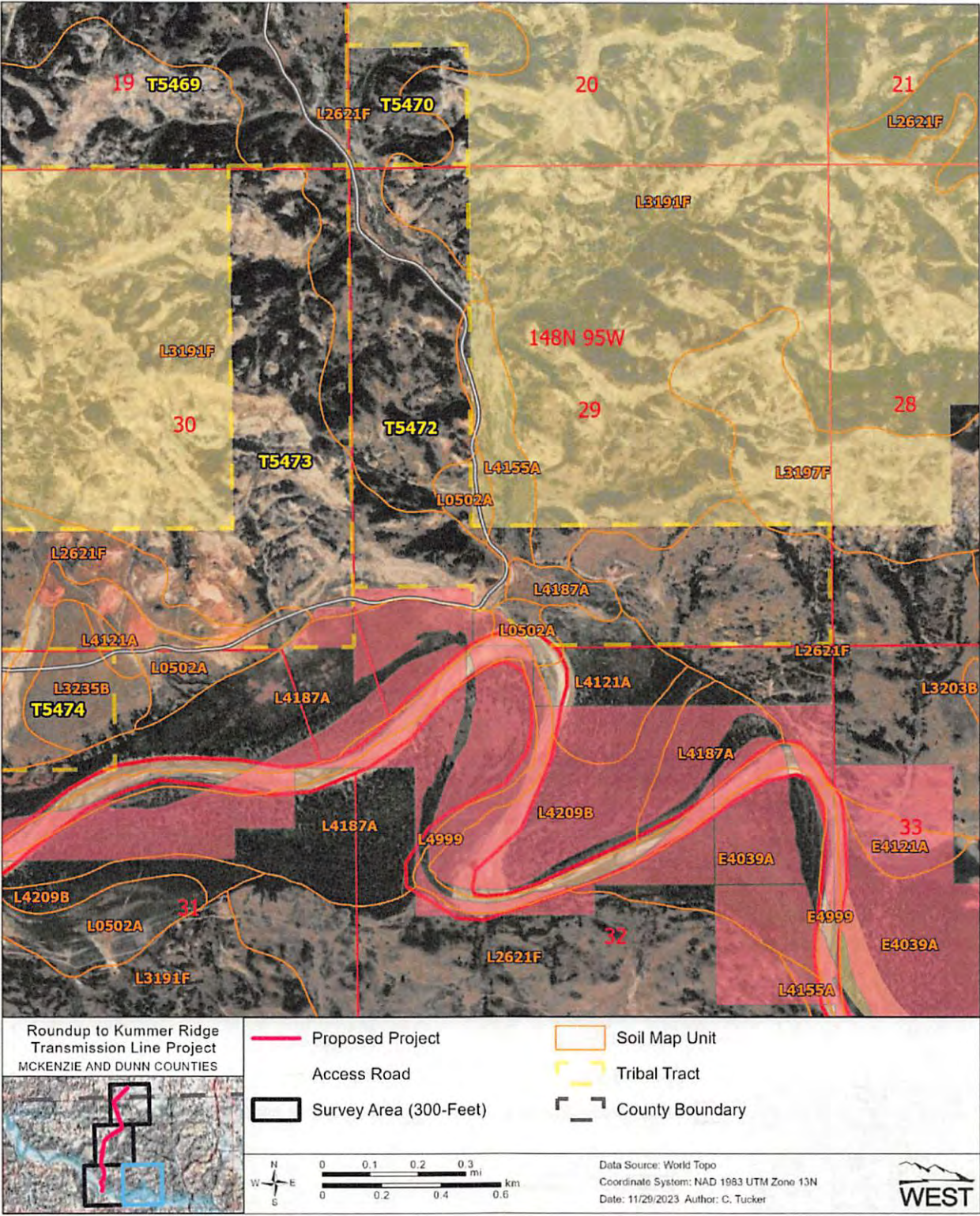


Figure 5 (continued). Soils Map Units.

4.6 Vegetation

The Project is located within the Northwestern Great Plains Ecoregion (Missouri Plateau and Little Missouri Badlands), which is characterized by shortgrass and mixed grass prairies containing blue grama (*Bouteloua gracilis*), western wheatgrass (*Pascopyrum smithii*), green needlegrass (*Nassella viridula*), prairie sandreed (*Calamovilfa longifolia*), and buffalograss (*B. dactyloides*; Bryce et al. 1998). Grazing and recreation are the most common land uses. Native grasses potentially within and around the Project area may include big bluestem (*Andropogon gerardii*), little bluestem (*Schizachyrium scoparium*), blue grama, sideoats grama (*B. curtipendula*), green needlegrass, and western wheatgrass. Typical wetland plants within this area include smartweed (*Persicaria* spp.), sedges (*Carex* spp.), bulrush (*Scirpus* spp.), and cattails (*Typha* spp.). Woody draws, coulees, and drainages may host communities of eastern cottonwood (*Populus deltoides*), bur oak (*Quercus macrocarpa*), and green ash (*Fraxinus pennsylvanica*).

The Project's ROW is located in an area that has a significant amount of current and previous disturbance due to grazing, agricultural tilling, oil/gas well pads, pipelines, and roads. Western wheatgrass, blue grama, little bluestem, green needlegrass, smooth brome (*Bromus inermis*), needle-and-thread (*Hesperostipa comata*), and Kentucky bluegrass (*Poa pratensis*) are the predominant species that occur within much of the Project's ROW. Little bluestem areas are found on the slopes of the hills; however, these are small and limited in number. White heath aster (*Symphotrichum ericoides*), aromatic aster (*S. oblongifolium*), and goldenrod spp. were the dominant forb species observed within the Project's ROW. Other flowering forb species are present in the area but are not abundant. Shrub patches of western snowberry (*S. occidentalis*), chokecherry (*Prunus virginiana*), and silver buffaloberry (*Shepherdia argentea*) were scattered throughout much of the Project ROW, along with wooded draws containing green ash and bur oak. Vegetation stature in the area was commonly moderate to low due to grazing.

4.7 Noxious Weeds

The North Dakota Agriculture Commission (North Dakota Department of Agriculture 2023) identifies 13 noxious weed plant species in the state (Table 8). County and city weed boards may develop and compile their own list of noxious weeds, provided the list includes all weeds determined to be noxious by the North Dakota Agriculture Commissioner.

Ground disturbance presents opportunities for invasive species and threatens to reduce the quality or quantity of forage or crop production. The governing agency would require the operator to control noxious weeds throughout the Project area. Vehicles driven in areas with invasive species would be cleaned with high-pressure sprayers before entering the Project area.

Surface disturbance and vehicular traffic would not take place outside the approved ROW or access roads. Areas stripped of topsoil would be re-seeded and reclaimed at the earliest opportunity and as weather and soil conditions allow. Access roads would be scarified to relieve compaction and restored to condition prior to construction. Certified weed-free topsoil, straw, and seed would be used for construction, seeding, and reclamation efforts. Prompt and appropriate construction, operation, and reclamation would reduce vegetative impacts to minimal levels, effectively negating the potential to establish or spread invasive species.

Table 8. State and County Listed Noxious Weeds.

Common Name	Scientific Name	Common Name	Scientific Name
Absinth wormwood	<i>Artemisia absinthium</i>	Musk thistle	<i>Carduus nutans</i>
Canada thistle	<i>Cirsium arvense</i>	Purple loosestrife	<i>Lythrum salicaria</i>
Dalmatian toadflax	<i>Linaria dalmatica</i>	Russian knapweed	<i>Centaurea repens</i>
Diffuse knapweed	<i>Centaurea diffusa</i>	Saltcedar	<i>Tamarix ramosissima</i>

Table 8. State and County Listed Noxious Weeds.

Common Name	Scientific Name	Common Name	Scientific Name
Houndstongue	<i>Cynoglossum officinale</i>	Spotted knapweed	<i>Centaurea stoebe</i>
Leafy spurge	<i>Euphorbia esula</i>	Yellow toadflax	<i>Linaria vulgaris</i>
Palmer's amaranth	<i>Amaranthus palmeri</i>	Black henbane**	<i>Hyoscyamus niger</i>
Baby's breath*	<i>Gypsophila paniculata</i>	Common burdock*	<i>Articus minus</i>
Hoary cress*	<i>Lepidium draba</i>		

* McKenzie County listed weed.

** McKenzie and Dunn counties listed weed.

4.8 Cultural Resources

Historic properties, or cultural resources, on federal or tribal lands are protected by many laws, regulations and agreements. The National Historic Preservation Act of 1966 (16 USC 470 et seq.) at Section 106 requires, for any federal, federally assisted or federally licensed undertaking, that the federal agency take into account the effect of that undertaking on any district, site, building, structure or object that is included in the National Register of Historic Places (NRHP) before the expenditure of any federal funds or the issuance of any federal license. Cultural resources is a broad term encompassing sites, objects, or practices of archaeological, historical, cultural and religious significance. Eligibility criteria (36 CFR 60.6) include association with important events or people in our history, distinctive construction or artistic characteristics, and either a record of yielding or a potential to yield information important in prehistory or history. In practice, properties are generally not eligible for listing on the National Register if they lack diagnostic artifacts, subsurface remains or structural features, but those considered eligible are treated as though they were listed on the National Register, even when no formal nomination has been filed. This process of taking into account an undertaking's effect on historic properties is known as "Section 106 review," or more commonly as a cultural resource inventory.

The area of potential effect (APE) of any federal undertaking must also be evaluated for significance to Native Americans from a cultural and religious standpoint. Sites and practices may be eligible for protection under the American Indian Religious Freedom Act of 1978 (42 USC 1996). Sacred sites may be identified by a tribe or an authoritative individual (Executive Order 13007). Special protections are afforded to human remains, funerary objects, and objects of cultural patrimony under the Native American Graves Protection and Repatriation Act (NAGPRA, 25 USC 3001 et seq.).

Whatever the nature of the cultural resource addressed by a particular statute or tradition, implementing procedures invariably include consultation requirements at various stages of a federal undertaking. The MHA Nation has designated a Tribal Historic Preservation Officer (THPO) by Tribal Council resolution, whose office and functions are certified by the National Park Service. The THPO operates with the same authority exercised in most of the rest of North Dakota by the State Historic Preservation Officer (SHPO). Thus, BIA consults and corresponds with the THPO regarding cultural resources on all projects proposed within the exterior boundaries of the FBIR.

A cultural resource inventory of this development project was conducted by personnel of Metcalf Archaeology using an intensive pedestrian methodology (AAO-4737/FB/2023). Approximately 726 acres were inventoried November 4 to 7 and 11, 2022, and resumed work after snowmelt on May 14 to 16 and June 7 to 9, 2023, by (Salas and Snortland: 2023). Twenty-two sites were recorded and recommended for avoidance; 8 additional sites are recommended not eligible for the NRHP. As the lead federal agency, and as provided for in 36 CFR 800.5, BIA reached a determination of no historic properties affected for this undertaking based on the findings and recommendation of the Principal Investigator, provided the avoidance recommendations are carried out. This

determination was communicated to the THPO on September 6, 2023; and BIA received a concurrence on determination of no historic properties affected on September 11, 2023.

4.9 Socioeconomics

Socioeconomic conditions include population, demographics, income, employment, and housing. These conditions can be analyzed and compared at various scales. This analysis focuses on the Reservation, the four counties that overlap most of the Reservation and the state of North Dakota. The state population showed +13.2% change between the last two censuses (2010 and 2020), but there were notable changes amongst counties, as shown in Table 9. The population of McLean County (+7.0%) was just below the statewide population increase. McKenzie, Mountrail, and Dunn counties were ahead of the statewide average increase at 56.6%, 30.1% and 20.3%, respectively. The 2020 American Community Survey 5-Year Estimates data for the FBIR lists the population at 7,193. This is a growth of 14.3% since the 2010 census and above the statewide population increase. While American Indians are the predominant group on the Reservation, they are a minority everywhere else in the state. Approximately 65% (4,706) of residents of the FBIR are of American Indian descent.

In addition to the ranching and farming that are employment mainstays in western North Dakota, employment on the Reservation largely consists of tribal government, tribal enterprises, schools, and federal agencies.

Table 9. Population and Demographics.

Location	Population In 2020	% of State Population	% Change 2010	Predominant Group	Predominant Minority
Fort Berthold Reservation ²	7,193	0.95	+14.3	American Indian (65.4%)	White (27.9%)
Mountrail County ²	10,348	1.36	+30.1	White (63.7%)	American Indian (29.0%)
Dunn County ²	4,362	0.57	+20.3	White (84.2%)	American Indian (8.9%)
McKenzie County ²	13,836	1.82	+56.6	White (82.4%)	American Indian (10.0%)
McLean County ²	9,531	1.25	+7.0	White (89.7%)	American Indian (6.4%)
North Dakota ²	760,394	100	+13.2	White (85.7%)	American Indian (5.2%)

Source: U.S. Census Bureau 2010, 2020.

²U.S. Census Bureau 2020 American Community Survey.

As shown in Table 10, the Reservation tends to have per capita incomes, median household incomes, and employment rates that are lower than North Dakota statewide averages. MHA Nation members are, in turn, disadvantaged relative to overall Reservation incomes and unemployment rates that average in nonmember data. The most recent census found the per capita income per household for residents of the FBIR is \$26,510 (27% less than the state average). Overcrowded housing skews the median Reservation household income upward to \$54,696. Approximately 18.9% of employed MHA Nation members were living below federal poverty levels. The unemployment rate of the FBIR is 5.4% compared to 3.1% for the state of North Dakota.

Table 10. Income and Unemployment.

Unit of Analysis	Per Capita Income 2020	Median Household Income	Unemployment Rate Percent	Percent of All People in Poverty
Fort Berthold Reservation	\$26,510	\$54,696	5.4	18.9
Mountrail County	\$34,954	\$70,412	4.3	10.7

Table 10. Income and Unemployment.

Unit of Analysis	Per Capita Income 2020	Median Household Income	Unemployment Rate/Percent	Percent of All People in Poverty
Dunn County	\$45,782	\$82,750	1.8	6.7
McKenzie County	\$36,414	\$75,238	3.3	10.2
McLean County	\$37,651	\$70,261	1.5	7.5
North Dakota	\$36,289	\$65,315	3.1	10.5

Source: U.S. Census Bureau 2020 American Community Survey.

Availability and affordability of housing can affect construction and operations of the proposed Project and other construction activities. Housing information from the 2020 U.S. Census Bureau Survey is summarized in Table 11. The Tribal Housing Authority manages most of the housing units within the reservation. Housing typically consists of homes built through various government programs, low-rent housing units, and scattered-site homes. Private purchase and rental housing are available in New Town.

Table 11. Housing.

Housing	North Dakota	FBIR	Dunn County	McKenzie County	McLean County	Mountrail County
Housing Units	376,597	4,247	2,606	6,856	6,248	5,181
Owner-Occupied Units ²	62.5%	57.5%	73.5%	57.5%	80.0%	64.0%
Renter-Occupied Units ²	37.5%	42.5%	26.5%	42.5%	20.0%	36.0%
Vacant Housing Units ²	14.8%	45.3%	34.8%	34.7%	30.0%	31.1%
Building Permits ¹	3,600	–	13	66	43	26

Sources: U.S. Census Bureau 2021; U.S. Census Bureau 2020 American Community Survey.
FBIR = Fort Berthold Indian Reservation.

The proposed Project is not expected to have measurable impacts on population trends. No individuals or households will be displaced. No increase in population is expected, either. Construction would result in a short-term economic benefit to local communities. Landowners would be compensated for easement acquisition and land use would revert to that prior to construction and no impact on existing lifestyle(s) are expected.

4.10 Environmental Justice

Executive Order 12898 (Order), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, was signed by President Clinton in 1994. The Order requires agencies to advance EJ by pursuing fair treatment and meaningful involvement of minority and low-income populations. Fair treatment means such groups should not bear a disproportionately high share of negative environmental consequences from federal programs, policies, decisions, or operations. Meaningful involvement means federal officials actively promote opportunities for public participation, and federal decisions can be materially affected by participating groups and individuals.

The USEPA headed the interagency workgroup established by the 1994 Order and is responsible for related legal action. Working criteria for designation of targeted populations are provided in *Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses* (USEPA 1998). This guidance uses a statistical approach to consider various geographic areas and scales of analysis to define a particular population's status under the Order.

EJ is an evolving concept with potential for disagreement over the scope of analysis and the implications for federal responsiveness. It is, nevertheless, clear that tribal members on the Great Plains qualify for EJ consideration as both a minority and low-income population. The population of the Dakotas is predominantly Caucasian. While 70% of Reservation residents are tribal members, Indians comprise only 5% of North Dakota residents.

There are, however, some unusual EJ considerations when proposed federal actions are meant to benefit tribal members. Determination of fair treatment necessarily considers the distribution of both benefits and negative impacts due to variation in the interests of various tribal groups and individuals. There is also potential for major differences in impacts to resident tribal members and those enrolled or living elsewhere. A general benefit to the MHA Nation government and infrastructure has already resulted from tribal leasing, fees, and taxes.

Potential impacts to tribes and tribal members include disturbance of cultural resources. There is potential for disproportionate impacts, especially if the impacted tribes and members do not reside within the Reservation and, therefore, do not share in direct or indirect benefits. This potential is significantly reduced following the surveys of the proposed Project area, and the determination by the BIA that there would be no effect on historic properties. Research and surveys have found nothing to be impacted at the Project site that qualifies as a traditional cultural property under the American Indian Religious Freedom Act (1978). The potential for disproportionate impacts is further mitigated by requirements for immediate work stoppage following an unexpected discovery of cultural resources of any type. Mandatory consultations would take place during any such work stoppage, affording an opportunity for all affected parties to assert their interests and contribute to an appropriate resolution, regardless of their home location or tribal affiliation.

The proposed Project has not been found to pose significant impacts to any other critical element—air, public health and safety, water, wetlands, wildlife, vegetation, or soils—within the human environment. The Project offers many positive consequences for tribal members, while recognizing EJ concerns. Procedures summarized in this document are binding and sufficient. No laws, regulations, or other requirements have been waived; no compensatory mitigation measures are required.

4.11 Irreversible and Irrecoverable Commitment of Resources

Potential irreversible and irretrievable commitment of resources associated with the proposed electrical distribution line include soil lost through wind and water erosion, cultural resources inadvertently destroyed, wildlife killed during construction or in collisions with vehicles, and energy expended during operation.

4.12 Short-term Use versus Long-term Productivity

Short-term activities would not detract significantly from long-term productivity of the Project area. The ROW dedicated to the electrical distribution line (between spans) would be available for forage production, livestock grazing, wildlife habitat, and other uses after construction of the Project. Allottee's with surface rights would be compensated for loss of productive acreage. Successful reclamation of the landscape would quickly support wildlife and livestock grazing, stabilize the soil, and reduce the potential for erosion and sedimentation. No major long-term resource loss is anticipated because of the proposed Project.

4.13 Cumulative Impacts

Cumulative impacts result when the effects of an action are added to or interact with other effects in a place and within a time. It is the combination of these effects, and any resulting environmental degradation, that is the focus of the cumulative impact analysis. While impacts can be differentiated

as direct, indirect, and cumulative, the concept of cumulative impacts takes into account all disturbances, since cumulative impacts result in the compounding of the effects of all actions over time. Thus, the cumulative impacts of an action can be viewed as the total effects on a resource, ecosystem, or human community of that action and all other activities affecting that resource no matter what entity (federal, non-federal, or private) is taking the actions. Environmental impacts may accumulate either over time or in combination with similar activities in the area. Unrelated activities may also have negative impacts on critical elements, thereby contributing to cumulative degradation of the environment. There are other impacts, however, that cumulatively may be greater than the sum of the individual projects.

The Project would result in a loss of grassland cover; however, due to the reclamation of the underground utilities and the little impact that occurs from the installation of the poles for the aboveground utilities, this loss is relatively low. The landscape and vegetation of the Great Plains have undergone continual transformations due to the influences of nature and human actions. Cumulative effects have occurred as a loss and alteration of habitats caused by cultivation, range management practices, fire suppression, exotic species introductions, resource development, and other practices. Past and current disturbances near the proposed Project include farming, grazing, roads, and oil/gas development. Virtually all-available acreage is organized into agricultural leases or range units to utilize surface resources for economic benefit.

The proposed Project has been modified during this EA process and would avoid impacts to wetlands, floodplains, surface water, cultural resources, and threatened and endangered species. Unavoidable effects to these or other resources would be minimized and/or mitigated as described in this document. The operator of any facility would be required to reclaim disturbed areas following construction and completion. Implementation of other precautionary and protective measures detailed in this EA and applicable regulations are expected to minimize impacts to critical elements of the human environment. Foreseeable impacts from the proposed Project are expected to be temporary, manageable, and/or insignificant. No cumulative impacts are reasonably foreseen from the proposed activities, relative to the existing scale of development.

4.14 Mitigation and Commitments

Many protective measures and procedures are described in this document. No laws, regulations, or other requirements have been waived; no compensatory mitigation measures are required.

Resource surveys were conducted at the time of on-site inspections to determine potential effects to cultural and natural (i.e., biological, and physical) resources. The location was inspected in consideration of topography, location of topsoil stockpiles, natural drainage and erosion control, flora, fauna, habitat, historical and cultural resources, and other surface issues. Avoidance and other protective measures were incorporated into the final Project design to minimize impacts to evaluated resources as described below.

4.14.1 Site-specific Best Management Practices

BEPC has committed to use the following mitigation measures:

- Use of BMPs, including silt fences or other erosion control devices.
- Monitoring and maintenance of potential erosion areas.
- Completing final reclamation within six months of completion of construction final activities or as soon as weather allows.
- Topsoil redistribution and reseeded as specified by surface owner and BIA during reclamation.
- Utilization of topsoil onsite and certified weed-free seed during reclamation.
- Monitoring of seeding success and weed species control.

- Using existing roads to the extent possible, upgrading as needed.
- Avoiding damage to and removal of trees, shrubs, and groundcover where possible.
- Sharing common ROWs when applicable.

4.14.2 Wildlife Protections

BEPC has made commitments to the following wildlife protection and mitigation measures:

- If portions of the Project ROW are cleared of vegetation during the spring nesting season (February 1 – July 15), surveys for migratory bird nests would be conducted within five days before clearing. The location of any nests would be documented and the BIA and USFWS would be consulted to determine mitigation measures to avoid disturbance of the nest. Measures may include applying an appropriate avoidance buffer to the nest or delaying construction in that area until the nest is fledged.
- Construction would be stopped if whooping cranes are sighted within one mile of the construction activity and not resume until the birds have left the area. Any sightings would be immediately reported to the BIA and USFWS.
- Implementation of the APP.
- Bird flight diverters would be placed on overhead lines following recommendations of the APLIC. Flight diverters would be placed 45 feet apart on a single wire; staggered at 15-foot intervals on three phase wires.
- The Project has been designed to avoid disturbing the areas of potential Dakota skipper habitat identified during the field assessment. No structures would be placed in these potential habitats and vehicle travel would be restricted from these areas. Habitat areas would be delineated with visible temporary fencing (i.e., snow fence, T-posts with flags, etc.) to clearly direct traffic and construction activities. Additionally, BEPC would control dust during construction activities by watering the ROW near habitat areas to minimize dust that may affect the life stages of the Dakota Skipper and requisite plant species.

4.14.3 Dust Control

BEPC would implement reduced speed limits and apply water and/or dust suppressant (e.g., calcium chloride) on roads during construction and operations, especially during periods of high winds and/or low precipitation, to limit fugitive dust emissions in the immediate Project area.

4.14.4 Fire Control

BEPC implements fire prevention and control measures including, but not limited to, the following:

- Requiring construction crews to carry fire extinguishers in their vehicles and/or equipment
- Training construction crews in the proper use of fire extinguishers

4.14.5 Cultural Resources

If cultural resources are discovered during construction or operation, the operator shall immediately stop work, secure the affected site, and notify the BIA and Tribal Historic Preservation Officer. Unexpected or inadvertent discoveries of cultural resources or human remains trigger mandatory federal procedures that include work stoppage and BIA consultation with all appropriate parties. Following any such discovery, operations would not resume without written authorization from the BIA. Project personnel are prohibited from collecting any artifacts or disturbing cultural resources in the area under any circumstances. Individuals outside the lease area are trespassing.

5.0 Consultation and Coordination

General Project scoping letters and maps were mailed to potentially interested parties. Direct mail recipients and a record of comments received are listed in Table 13. An example scoping letter and responses are found in Appendices F and G, respectively.

Table 13. Consultation Record.

Recipient	Comments
Bureau of Land Management	An EA is being prepared for affected BLM land(s).
Federal Aviation Administration	No response
Manda, Hidatsa, and Arikara (MHA) Nation / Three Affiliated Tribes (TAT)	No response
Fort Berthold Rural Water Supply	No response
MHA Nation Energy Division	Feel the proposed route is acceptable and give concurrence to proceed with the Project.
MHA Nation Tribal Council(s)	No response
Four Bears Segment Admin Office	No response
South Segment – Twin Buttes Office	No response
North Segment – Tribal Admin Building	No response
TAT Fish and Wildlife Division	No response
MHA Natural Resources	No response
State Historical Society of North Dakota	Requests Class I Literature Review of area of potential effect.
U.S. Department of Agriculture Natural Resource Conservation Service	Farmland Protection Policy Act (FPPA) may apply to the Project due to disturbance to farmland. If permanent removal of farmland does occur, complete the Farmland Conversion Impact Rating Form CPA-106 to determine if it is subject to the FPPA. Recommend avoiding wetlands.
U.S. Army Corps of Engineers – Bismarck	Determined that a Section 404 Permit may be required.
Southwest Water Authority (SWA)	SWA has water lines in the Project area. SWA requests the Project to stay 15 feet from SWA facilities.

6.0 List of Preparers

An interdisciplinary team contributed to this document, following guidance in Part 1502.6 of CEQ regulations. Portions of the documents were drafted by WEST under the direction of the BIA. Federal officials, company representatives, and consultants included the following:

Bureau of Indian Affairs – Great Plains Region

Christie Avery, Environmental Protection Specialist
Mark Herman, Regional Environmental Engineer

Western Ecosystems Technology, Inc.

Chad Tucker, Wildlife Biologist/Project Manager
Todd Hartleben, Senior Environmental Planner

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Appendix A
Right-of-Way Plats

EXHIBIT A - BIA ID# 301-T5462

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE SOUTH HALF (S1/2) AND THE SOUTH HALF OF THE NORTH HALF (S1/2N1/2)
IN SECTION 5, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION
DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NATHAN KLEYER
Notary Public
State of North Dakota
My Commission Expires April 28, 2026


NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



REGISTERED PROFESSIONAL LAND SURVEYOR
ROBERT KOHLER
LS-6718
DATE 02/24/2023
NORTH DAKOTA

EXHIBIT A - BIA ID# 301-T5462 DESCRIPTION

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE SOUTH HALF (S1/2) AND THE SOUTH HALF OF THE NORTH HALF (S1/2N1/2) IN SECTION 5, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION
DUNN COUNTY, NORTH DAKOTA

ACCESS T5462X5A DESCRIPTION (SEE PAGE 3 OF 5 AND PAGE 4 OF 5):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 3, THE SOUTH HALF (S1/2) AND THE SOUTH HALF OF THE NORTH HALF (S1/2N1/2) OF SECTION 5, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID S1/2; THENCE S88°20'01"E ALONG THE SOUTH LINE OF SAID S1/2 A DISTANCE OF 265.78 FEET TO THE POINT OF BEGINNING; THENCE N17°15'54"E A DISTANCE OF 83.10 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 210.35 FEET, A RADIUS OF 500.00 FEET, A DELTA ANGLE OF 24°06'17", A CHORD BEARING OF N05°12'46"E, AND A CHORD LENGTH OF 208.81 FEET; THENCE N06°50'23"W A DISTANCE OF 130.57 FEET; THENCE N10°25'31"W A DISTANCE OF 173.32 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 157.33 FEET, A RADIUS OF 350.00 FEET, A DELTA ANGLE OF 25°45'20", A CHORD BEARING OF N23°18'12"W, AND A CHORD LENGTH OF 156.01 FEET; THENCE N36°10'52"W A DISTANCE OF 146.64 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 201.88 FEET, A RADIUS OF 110.00 FEET, A DELTA ANGLE OF 105°09'12", A CHORD BEARING OF N16°23'45"E, AND A CHORD LENGTH OF 174.72 FEET; THENCE N68°58'21"E A DISTANCE OF 146.56 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 326.69 FEET, A RADIUS OF 225.00 FEET, A DELTA ANGLE OF 83°11'32", A CHORD BEARING OF N27°22'35"E, AND A CHORD LENGTH OF 298.74 FEET; THENCE N14°13'11"W A DISTANCE OF 111.77 FEET; THENCE N19°24'15"W A DISTANCE OF 96.85 FEET; THENCE N27°11'25"W A DISTANCE OF 433.22 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 271.80 FEET, A RADIUS OF 310.00 FEET, A DELTA ANGLE OF 50°14'13", A CHORD BEARING OF N02°04'18"W, AND A CHORD LENGTH OF 263.18 FEET; THENCE N23°02'48"E A DISTANCE OF 219.16 FEET; THENCE N20°25'21"E A DISTANCE OF 83.19 FEET; THENCE WITH A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 185.81 FEET, A RADIUS OF 450.00 FEET, A DELTA ANGLE OF 23°39'29", A CHORD BEARING OF N08°35'37"E, AND A CHORD LENGTH OF 184.49 FEET; THENCE N03°14'08"W A DISTANCE OF 146.75 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 163.63 FEET, A RADIUS OF 150.00 FEET, A DELTA ANGLE OF 62°30'07", A CHORD BEARING OF N28°00'56"E, AND A CHORD LENGTH OF 155.64 FEET; THENCE N59°15'59"E A DISTANCE OF 114.68 FEET; THENCE N60°55'23"E A DISTANCE OF 353.65 FEET; THENCE N61°01'43"E A DISTANCE OF 460.34 FEET; THENCE N61°10'22"E A DISTANCE OF 252.18 FEET; THENCE N59°47'43"E A DISTANCE OF 124.80 FEET; THENCE N60°22'46"E A DISTANCE OF 192.92 FEET; THENCE N59°59'12"E A DISTANCE OF 195.18 FEET; THENCE N60°08'11"E A DISTANCE OF 161.47 FEET; THENCE N58°06'29"E A DISTANCE OF 170.37 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 419.53 FEET, A RADIUS OF 675.00 FEET, A DELTA ANGLE OF 35°36'39", A CHORD BEARING OF N40°18'10"E, AND A CHORD LENGTH OF 412.81 FEET; THENCE N22°29'50"E A DISTANCE OF 51.36 FEET; THENCE N16°30'31"E A DISTANCE OF 163.75 FEET; THENCE N11°48'37"E A DISTANCE OF 203.70 FEET, MORE OR LESS, TO NORTH LINE OF SAID SECTION 5 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S88°13'34"E A DISTANCE OF 273.95 FEET FROM THE SOUTHWEST CORNER OF SECTION 35 (SC), TOWNSHIP 149 NORTH, RANGE 95 WEST, FIFTH P.M..

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 6152.55 FEET (372.88 RODS) IN LENGTH. SAID STRIP CONTAINS 4.24 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

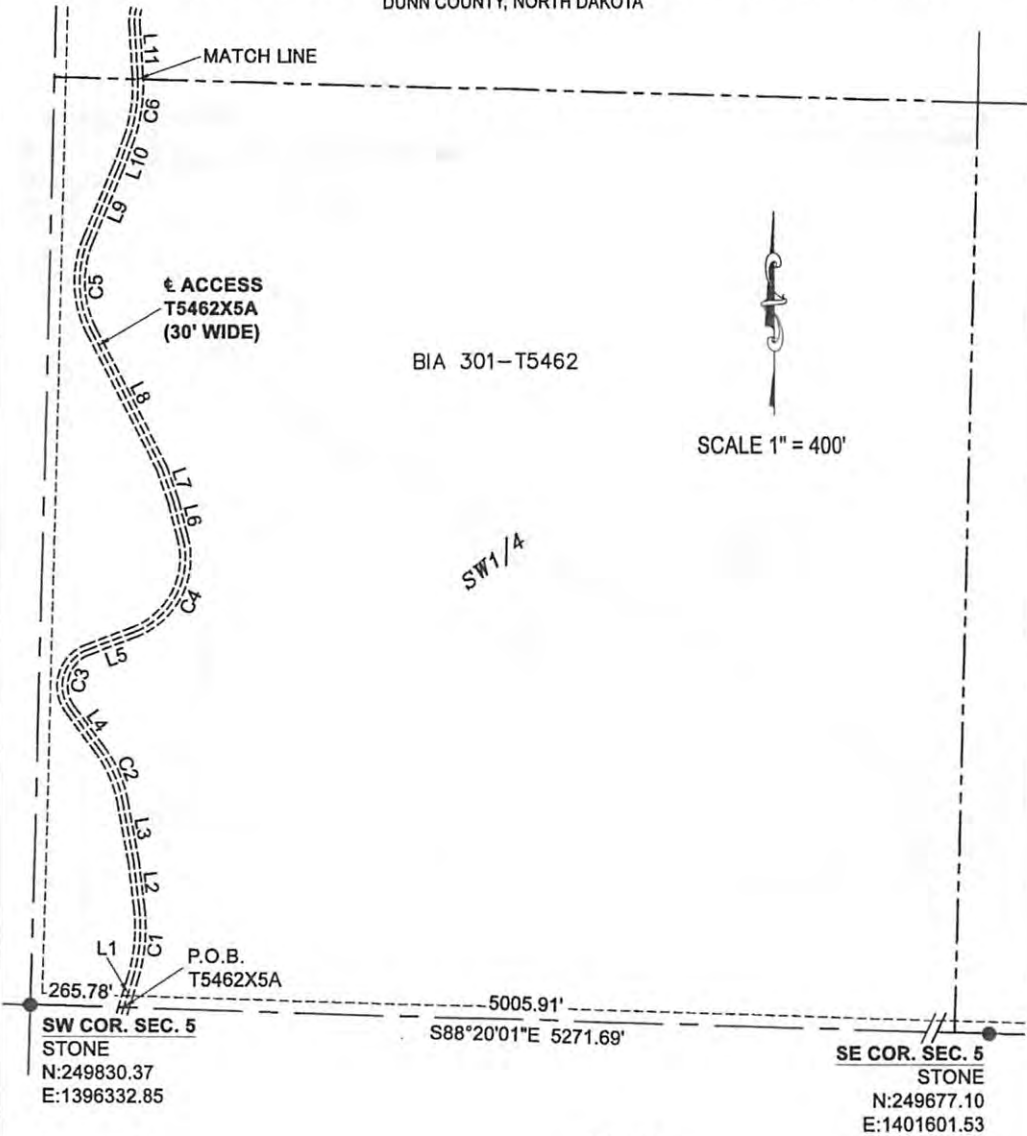


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5462

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE SOUTH HALF (S1/2) AND THE SOUTH HALF OF THE NORTH HALF (S1/2N1/2) IN SECTION 5, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5462

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

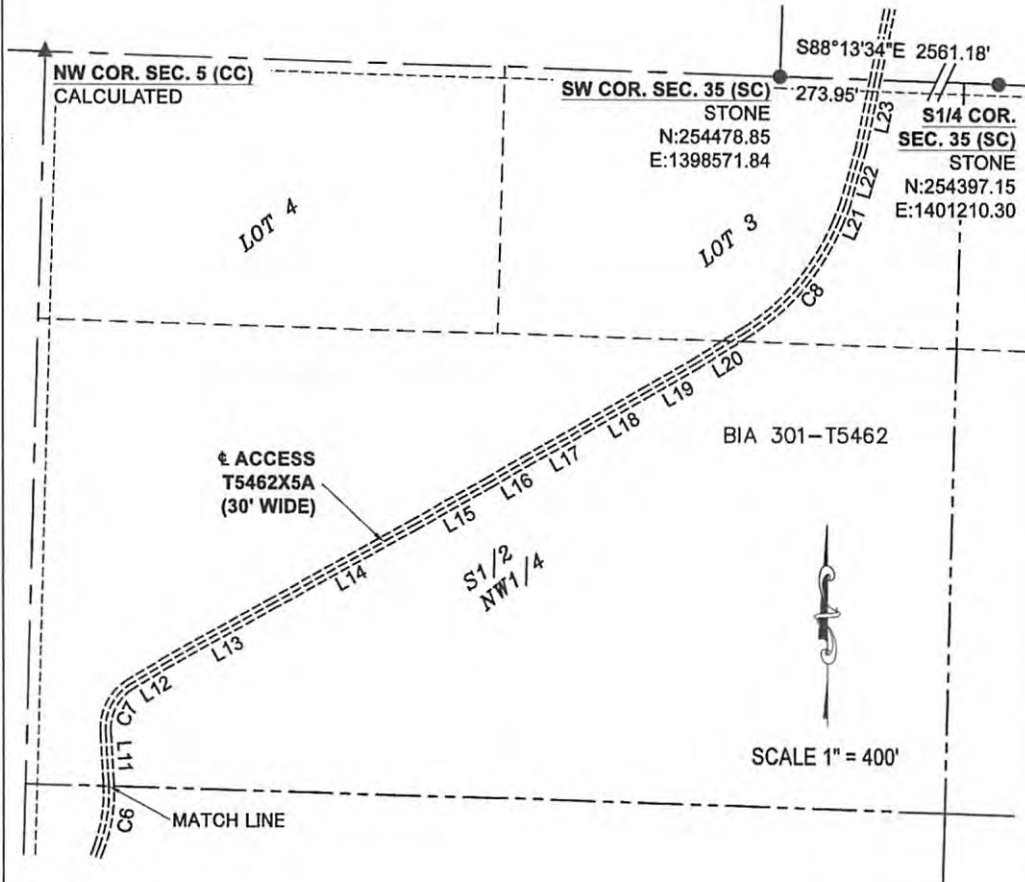
Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5462

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE SOUTH HALF (S1/2) AND THE SOUTH HALF OF THE NORTH HALF (S1/2N1/2) IN SECTION 5, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5462

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

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Robert J. Kohler

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 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5462 LINE/CURVE TABLES

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE SOUTH HALF (S1/2) AND THE SOUTH HALF OF THE NORTH HALF (S1/2N1/2)
IN SECTION 5, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION
DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	N17°15'54"E	83.10'
L2	N06°50'23"W	130.57'
L3	N10°25'31"W	173.32'
L4	N36°10'52"W	146.64'
L5	N68°58'21"E	146.56'
L6	N14°13'11"W	111.77'
L7	N19°24'15"W	96.85'
L8	N27°11'25"W	433.22'
L9	N23°02'48"E	219.16'
L10	N20°25'21"E	83.19'
L11	N03°14'08"W	146.75'
L12	N59°15'59"E	114.68'
L13	N60°55'23"E	353.65'
L14	N61°01'43"E	460.34'
L15	N61°10'22"E	252.18'
L16	N59°47'43"E	124.80'
L17	N60°22'46"E	192.92'
L18	N59°59'12"E	195.18'
L19	N60°08'11"E	161.47'
L20	N58°06'29"E	170.37'
L21	N22°29'50"E	51.36'
L22	N16°30'31"E	163.75'
L23	N11°48'37"E	203.70'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	210.35'	500.00'	24°06'17"	N05°12'46"E	208.81'
C2	157.33'	350.00'	25°45'20"	N23°18'12"W	156.01'
C3	201.88'	110.00'	105°09'12"	N16°23'45"E	174.72'
C4	326.69'	225.00'	83°11'32"	N27°22'35"E	298.74'
C5	271.80'	310.00'	50°14'13"	N02°04'18"W	263.18'
C6	185.81'	450.00'	23°39'29"	N08°35'37"E	184.49'
C7	163.63'	150.00'	62°30'07"	N28°00'56"E	155.64'
C8	419.53'	675.00'	35°36'39"	N40°18'10"E	412.81'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5463

LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, LOT 7, THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), THE SOUTHEAST QUARTER (SE1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) ALL IN SECTION 6 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NATHAN KLEYER
Notary Public
State of North Dakota
My Commission Expires April 28, 2026


NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



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BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

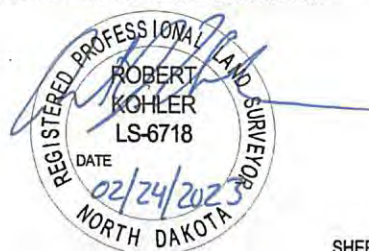


EXHIBIT A - BIA ID# 301-T5463 DESCRIPTION

LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, LOT 7, THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), THE SOUTHEAST QUARTER (SE1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) ALL IN SECTION 6 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

TRANSMISSION LINE DESCRIPTION - BIA ID# 301-T5463 SEGMENT 1 AND SEGMENT 2 (SEE PAGE 3 OF 5):

SEGMENT 1

A STRIP OF LAND OF VARYING WIDTH LOCATED IN PART OF LOT 6 AND LOT 7, ALL IN SECTION 6, TOWNSHIP 148 NORTH, RANGE 96 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 2 INCH ALUMINUM CAP MARKED LS-2999 AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE S88°20'12"E ALONG THE SOUTH LINE OF SAID SECTION 6 A DISTANCE OF 712.14 FEET TO THE POINT OF BEGINNING; THENCE N16°34'22"W ALONG THE STRIP CENTERLINE, SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 480.26 FEET; THENCE N16°34'22"W ALONG SAID STRIP BEING 350.00 FEET WIDE, WITH THE SIDE LINES LYING 175.00 FEET ON EACH SIDE A DISTANCE OF 1810.04 FEET TO THE WEST LINE OF SAID SECTION 6 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°32'34"W A DISTANCE OF 2553.87 FEET FROM THE FOUND STONE AT THE NORTHWEST CORNER OF SECTION 6.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 2290.30 FEET (138.81 RODS) IN LENGTH. SAID STRIP CONTAINS 16.06 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172

SEGMENT 2

A 150.00 FOOT WIDE STRIP OF LAND LOCATED IN PART OF LOT 4 AND LOT 5, ALL IN SECTION 6, TOWNSHIP 148 NORTH, RANGE 96 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. SAID STRIP HAVING 75.00 FEET LYING ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE 2 INCH ALUMINUM CAP MARKED LS-2999 AT THE SOUTHWEST CORNER OF SAID SECTION 6. THENCE N01°32'34"E ALONG THE WEST LINE OF SECTION 6 A DISTANCE OF 3911.24 FEET TO THE POINT OF BEGINNING; THENCE N48°17'09"E A DISTANCE OF 1187.70 FEET TO THE NORTH LINE OF SAID SECTION 6 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S88°11'32"E A DISTANCE OF 864.99 FEET FROM THE FOUND STONE AT THE NORTHWEST CORNER OF SAID SECTION 6.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1187.70 FEET (71.98 RODS) IN LENGTH. SAID STRIP CONTAINS 4.09 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172

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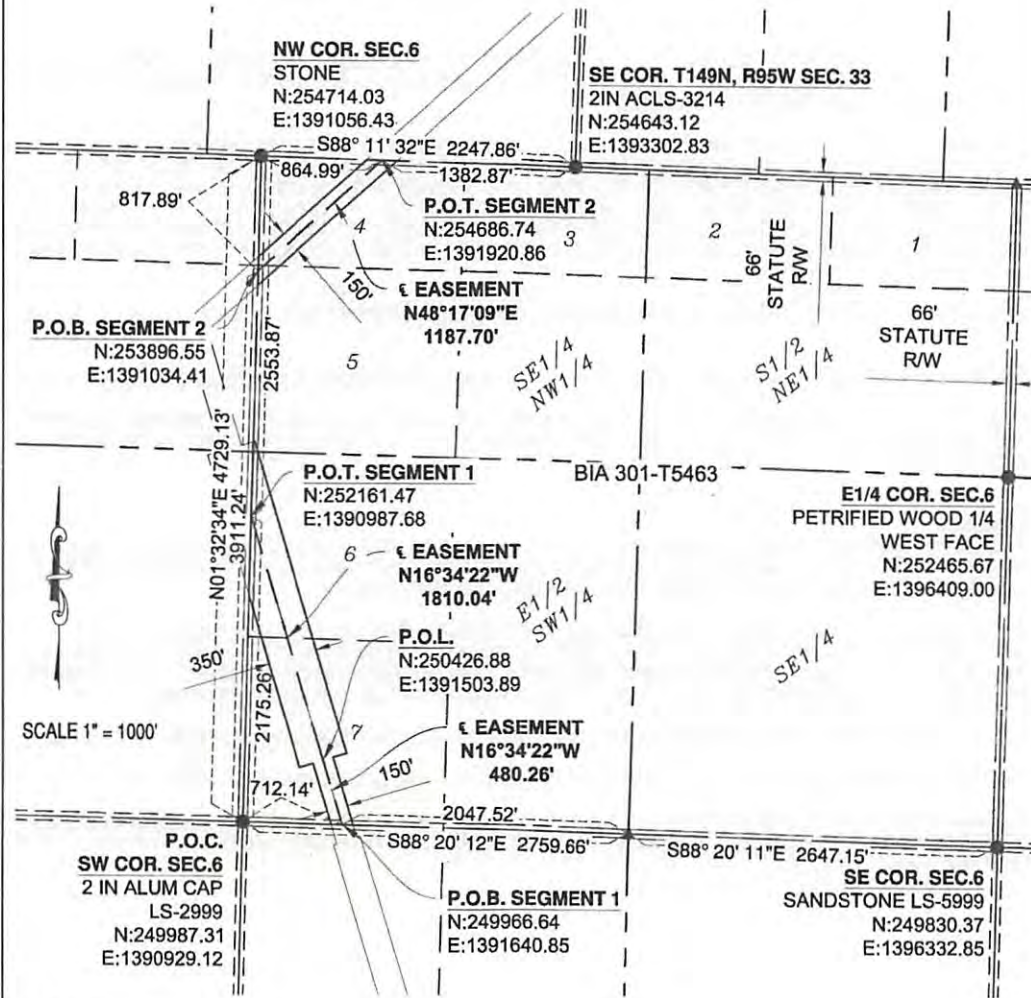


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5463

LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, LOT 7, THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), THE SOUTHEAST QUARTER (SE1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) ALL IN SECTION 6 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



SCALE 1" = 1000'

BIA ID#: 301-T5463
BEPC: 366-301-T5463

- LEGEND**
- FOUND MONUMENT (AS NOTED)
 - ▲ CALCULATED CORNER

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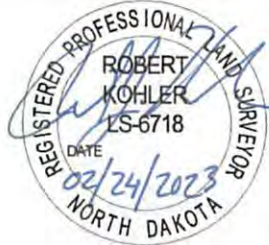


EXHIBIT B - BIA ID# 301-T5463 DESCRIPTION

LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, LOT 7, THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), THE SOUTHEAST QUARTER (SE1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) ALL IN SECTION 6, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5463X6A DESCRIPTION (SEE PAGE 5 OF 5):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 5 OF SECTION 6, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6 (CC); THENCE S01°32'34"W ALONG THE WEST LINE OF SAID SECTION 6 A DISTANCE OF 1305.49 FEET TO THE POINT OF BEGINNING; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 20.87 FEET, A RADIUS OF 130.00 FEET, A DELTA ANGLE OF 09°11'46", A CHORD BEARING OF S41°13'38"E, AND A CHORD LENGTH OF 20.84 FEET; THENCE S45°49'31"E A DISTANCE OF 45.58 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 157.06 FEET, A RADIUS OF 185.00 FEET, A DELTA ANGLE OF 48°38'36", A CHORD BEARING OF S21°30'13"E, AND A CHORD LENGTH OF 152.39 FEET; THENCE S02°49'05"W A DISTANCE OF 82.02 FEET; THENCE S03°04'05"E A DISTANCE OF 64.23 FEET; THENCE S09°18'13"E A DISTANCE OF 106.03 FEET; THENCE S07°37'38"E A DISTANCE OF 41.92 FEET; THENCE S50°59'56"W A DISTANCE OF 33.20 FEET; THENCE S52°55'44"W A DISTANCE OF 81.99 FEET; THENCE S37°35'14"W A DISTANCE OF 81.60 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SECTION 6 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N01°32'34"E A DISTANCE OF 2806.98 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 6.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 714.50 FEET (43.30 RODS) IN LENGTH. SAID STRIP CONTAINS 0.49 ACRES, MORE OR LESS.

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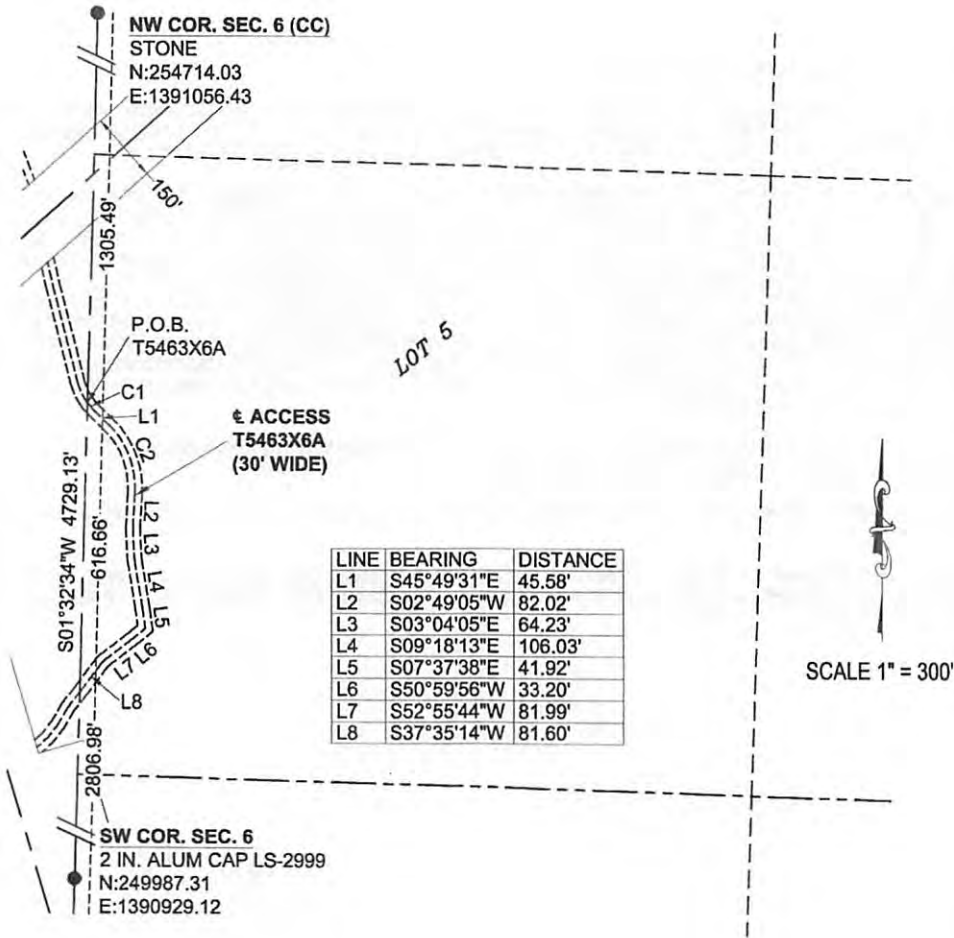
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BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT B - BIA ID# 301-T5463

LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, LOT 7, THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), THE SOUTHEAST QUARTER (SE1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) ALL IN SECTION 6, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



LINE	BEARING	DISTANCE
L1	S45°49'31"E	45.58'
L2	S02°49'05"W	82.02'
L3	S03°04'05"E	64.23'
L4	S09°18'13"E	106.03'
L5	S07°37'38"E	41.92'
L6	S50°59'56"W	33.20'
L7	S52°55'44"W	81.99'
L8	S37°35'14"W	81.60'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	20.87'	130.00'	9°11'46"	S41°13'38"E	20.84'
C2	157.06'	185.00'	48°38'36"	S21°30'13"E	152.39'

BIA ID#: 301-T5463

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
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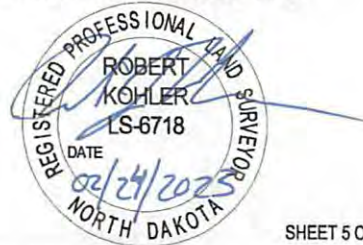


EXHIBIT A - BIA ID# 301-T5464 DESCRIPTION

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Linear Feet	Acres	Transmission Easement			Access Easement(s)	
				Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

TRANSMISSION LINE DESCRIPTION - BIA ID# 301-T5464 (SEE SH. 2 OF 11):

A STRIP OF LAND OF VARYING WIDTH LOCATED IN PART OF LOT 4, LOT 3, THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), LOT 2 AND LOT 1, ALL IN SECTION 7, TOWNSHIP 148 NORTH, RANGE 95 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

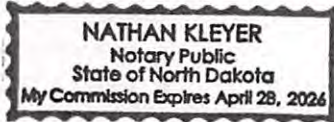
COMMENCING AT THE ALUMINUM CAP AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE N01°32'28"E ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 563.68 FEET TO THE POINT OF BEGINNING; THENCE N62°44'01"E ALONG THE STRIP CENTERLINE, SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 1895.91 FEET; THENCE N03°48'31"W ALONG SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 1242.51 FEET; THENCE N16°34'22"W ALONG SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 1090.16 FEET; THENCE N16°34'22"W ALONG SAID STRIP BEING 200.00 FEET WIDE, WITH THE SIDE LINES LYING 100.00 FEET ON EACH SIDE A DISTANCE OF 1470.22 FEET; THENCE N16°34'22"W ALONG SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 119.83 FEET TO THE NORTH LINE OF SAID SECTION 7 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S88°20'11"E A DISTANCE OF 712.14 FEET FROM THE 2 INCH ALUMINUM CAP MARKED LS-2999 AT THE NORTHWEST CORNER OF SAID SECTION 7.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 5818.63 FEET (352.64 RODS) IN LENGTH. SAID STRIP CONTAINS 21.72 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ON THIS 27th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



Nathan Kleyer
 NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

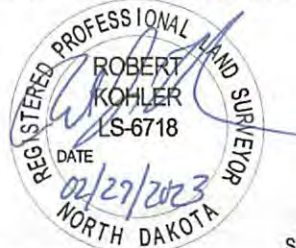
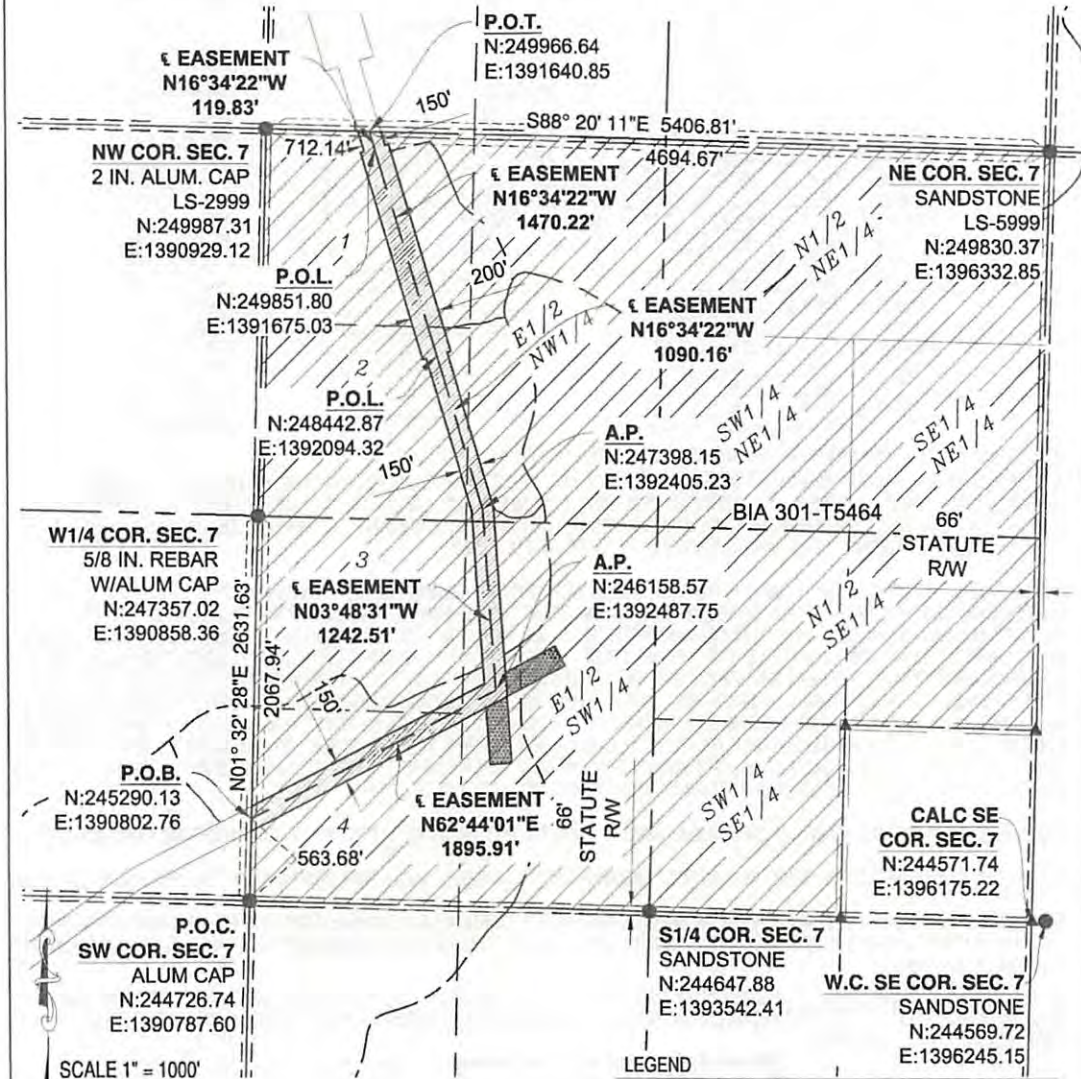


EXHIBIT A - BIA ID# 301-T5464

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5464
 BEPC: 366-301-T5464

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

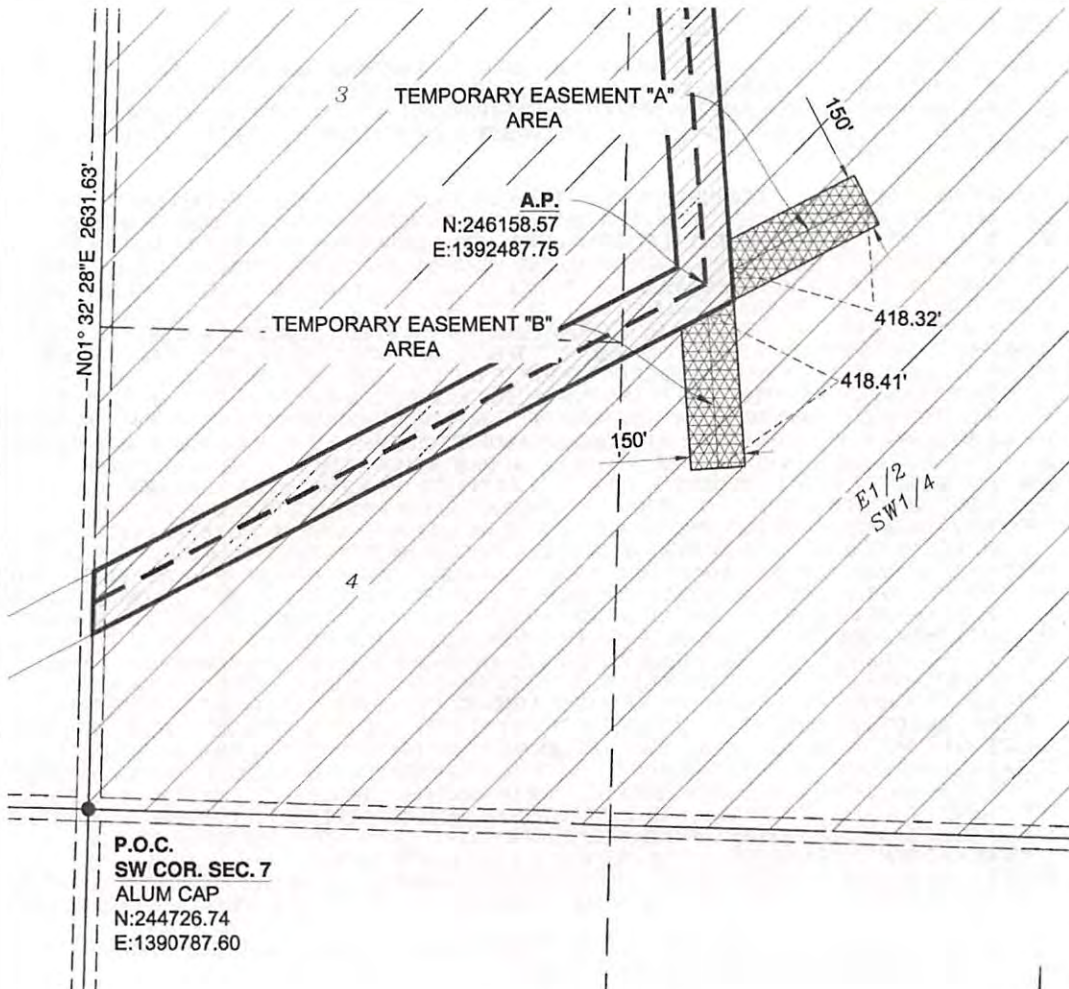
[Handwritten Signature]

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT B - BIA ID# 301-T5464 TEMPORARY EASEMENTS

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



P.O.C.
SW COR. SEC. 7
 ALUM CAP
 N:244726.74
 E:1390787.60

LEGEND

- FOUND MONUMENT

BIA ID#: 301-T5464
 BEPC: 366-301-T5464

SCALE 1" = 400'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5464 DESCRIPTIONS

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5464X7A DESCRIPTION (SEE PAGE 8 AND 9 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4) AND THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) OF SECTION 7, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE S01°43'01"W ALONG THE EAST LINE OF SAID SECTION 7 A DISTANCE OF 373.99 FEET TO THE POINT OF BEGINNING; THENCE S60°51'10"W A DISTANCE OF 48.02 FEET; THENCE S89°10'28"W A DISTANCE OF 173.78 FEET; THENCE N71°10'45"W A DISTANCE OF 274.77 FEET; THENCE S81°46'21"W A DISTANCE OF 228.72 FEET; THENCE S84°57'20"W A DISTANCE OF 196.92 FEET; THENCE S79°52'50"W A DISTANCE OF 62.50 FEET; THENCE S66°35'00"W A DISTANCE OF 155.57 FEET; THENCE S70°28'36"W A DISTANCE OF 394.36 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 282.17 FEET, A RADIUS OF 550.00 FEET, A DELTA ANGLE OF 29°23'41", A CHORD BEARING OF S55°46'45"W, AND A CHORD LENGTH OF 279.08 FEET; THENCE S41°04'55"W A DISTANCE OF 142.82 FEET; THENCE S49°33'17"W A DISTANCE OF 95.92 FEET; THENCE S53°08'44"W A DISTANCE OF 96.65 FEET; THENCE S53°53'38"W A DISTANCE OF 224.06 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 285.05 FEET, A RADIUS OF 425.00 FEET, A DELTA ANGLE OF 38°25'44", A CHORD BEARING OF S73°06'30"W, AND A CHORD LENGTH OF 279.74 FEET; THENCE N87°40'38"W A DISTANCE OF 111.58 FEET; THENCE S82°25'54"W A DISTANCE OF 61.08 FEET; THENCE S77°42'48"W A DISTANCE OF 95.45 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 183.12 FEET, A RADIUS OF 250.00 FEET, A DELTA ANGLE OF 41°58'08", A CHORD BEARING OF N81°18'08"W, AND A CHORD LENGTH OF 179.06 FEET; THENCE N60°19'03"W A DISTANCE OF 129.74 FEET; THENCE N59°33'18"W A DISTANCE OF 302.85 FEET; THENCE N70°53'33"W A DISTANCE OF 243.69 FEET; THENCE N75°55'06"W A DISTANCE OF 105.25 FEET; THENCE N77°08'54"W A DISTANCE OF 43.87 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 131.85 FEET, A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 75°32'36", A CHORD BEARING OF S65°04'48"W, AND A CHORD LENGTH OF 122.50 FEET; THENCE S27°18'30"W A DISTANCE OF 41.37 FEET; THENCE S16°17'27"W A DISTANCE OF 128.71 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 116.61 FEET, A RADIUS OF 150.00 FEET, A DELTA ANGLE OF 44°32'34", A CHORD BEARING OF S05°58'50"E, AND A CHORD LENGTH OF 113.70 FEET; THENCE S28°15'07"E A DISTANCE OF 288.75 FEET; THENCE S22°00'01"E A DISTANCE OF 46.67 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 407.23 FEET, A RADIUS OF 575.00 FEET, A DELTA ANGLE OF 40°34'43", A CHORD BEARING OF S01°42'40"E, AND A CHORD LENGTH OF 398.77 FEET; THENCE S18°34'41"W A DISTANCE OF 161.26 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 196.28 FEET, A RADIUS OF 225.00 FEET, A DELTA ANGLE OF 49°58'59", A CHORD BEARING OF S06°24'49"E, AND A CHORD LENGTH OF 190.12 FEET; THENCE S31°24'18"E A DISTANCE OF 133.75 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 158.58 FEET, A RADIUS OF 350.00 FEET, A DELTA ANGLE OF 25°57'35", A CHORD BEARING OF S18°25'31"E, AND A CHORD LENGTH OF 157.23 FEET; THENCE S05°26'43"E A DISTANCE OF 399.91 FEET; THENCE S01°41'22"W A DISTANCE OF 158.09 FEET; THENCE S04°33'33"W A DISTANCE OF 94.82 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 213.82 FEET, A RADIUS OF 250.00 FEET, A DELTA ANGLE OF 49°00'12", A CHORD BEARING OF S29°03'40"W, AND A CHORD LENGTH OF 207.36 FEET; THENCE S53°33'46"W A DISTANCE OF 141.24 FEET; THENCE S57°47'17"W A DISTANCE OF 116.45 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S60°25'46"E A DISTANCE OF 1941.71 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 7.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 6873.33 FEET (416.57 RODS) IN LENGTH. SAID STRIP CONTAINS 4.73 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5464 DESCRIPTIONS

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4)
IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION,
DUNN COUNTY, NORTH DAKOTA

ACCESS T5464X7B DESCRIPTION (SEE PAGE 9 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 1 AND THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4) OF SECTION 7, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE S76°36'27"W A DISTANCE OF 3817.81 FEET TO THE POINT OF BEGINNING; THENCE N13°59'02"W A DISTANCE OF 157.10 FEET; THENCE N24°57'05"W A DISTANCE OF 162.97 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 93.03 FEET, A RADIUS OF 200.00 FEET, A DELTA ANGLE OF 26°39'00", A CHORD BEARING OF N38°16'35"W, AND A CHORD LENGTH OF 92.19 FEET; THENCE N51°36'05"W A DISTANCE OF 201.67 FEET; THENCE N43°54'39"W A DISTANCE OF 61.31 FEET; THENCE N22°51'47"W A DISTANCE OF 146.89 FEET; THENCE N22°21'19"W A DISTANCE OF 123.72 FEET; THENCE N25°35'20"W A DISTANCE OF 103.93 FEET; THENCE N36°34'40"W A DISTANCE OF 84.08 FEET; THENCE S76°43'26"W A DISTANCE OF 279.14 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE PROPOSED 200.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S79°54'12"E A DISTANCE OF 868.80 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 7.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1413.84 FEET (85.69 RODS) IN LENGTH. SAID STRIP CONTAINS 0.97 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5464X7C DESCRIPTION (SEE PAGE 9 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOTS 1 AND 2 AND THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4) OF SECTION 7, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE S73°19'50"W A DISTANCE OF 3930.59 FEET TO THE POINT OF BEGINNING; THENCE S83°45'48"W A DISTANCE OF 62.10 FEET; THENCE S62°27'28"W A DISTANCE OF 40.83 FEET; THENCE S77°16'58"W A DISTANCE OF 81.17 FEET; THENCE S89°59'53"W A DISTANCE OF 60.33 FEET; THENCE S80°06'20"W A DISTANCE OF 124.48 FEET; THENCE S68°54'14"W A DISTANCE OF 64.87 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE PROPOSED 200.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S41°35'43"E A DISTANCE OF 1835.51 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 7.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 433.78 FEET (26.29 RODS) IN LENGTH. SAID STRIP CONTAINS 0.30 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5464 DESCRIPTIONS

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5464X7D DESCRIPTION (SEE PAGE 9 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4) OF SECTION 7, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE S55°40'14"W A DISTANCE OF 4250.00 FEET TO THE POINT OF BEGINNING; THENCE S40°53'35"W A DISTANCE OF 77.29 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 83.50 FEET, A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 47°50'38", A CHORD BEARING OF S64°48'53"W, AND A CHORD LENGTH OF 81.10 FEET; THENCE S88°44'12"W A DISTANCE OF 84.13 FEET; THENCE N76°30'57"W A DISTANCE OF 40.74 FEET; THENCE N58°05'11"W A DISTANCE OF 61.35 FEET; THENCE N73°25'22"W A DISTANCE OF 20.36 FEET; THENCE N46°05'56"W A DISTANCE OF 20.16 FEET; THENCE N28°55'29"W A DISTANCE OF 32.40 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N87°26'29"E A DISTANCE OF 1617.72 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 7.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 419.93 FEET (25.45 RODS) IN LENGTH. SAID STRIP CONTAINS 0.29 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5464X7E DESCRIPTION (SEE PAGE 10 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) OF SECTION 7, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 7; THENCE N88°21'37"W ALONG THE SOUTH LINE OF SAID SECTION 7 A DISTANCE OF 964.21 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 123.91 FEET, A RADIUS OF 425.00 FEET, A DELTA ANGLE OF 16°42'18", A CHORD BEARING OF N29°29'30"E, AND A CHORD LENGTH OF 123.47 FEET; THENCE N21°08'20"E A DISTANCE OF 490.65 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 315.61 FEET, A RADIUS OF 400.00 FEET, A DELTA ANGLE OF 45°12'29", A CHORD BEARING OF N01°27'54"W, AND A CHORD LENGTH OF 307.49 FEET; THENCE N24°04'09"W A DISTANCE OF 268.35 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 189.64 FEET, A RADIUS OF 450.00 FEET, A DELTA ANGLE OF 24°08'43", A CHORD BEARING OF N11°59'47"W, AND A CHORD LENGTH OF 188.24 FEET; THENCE N00°04'35"E A DISTANCE OF 495.44 FEET, MORE OR LESS, TO THE CENTERLINE OF THE PROPOSED 30.00 FOOT ACCESS EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S63°51'14"E A DISTANCE OF 2008.07 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 7.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1883.60 FEET (114.16 RODS) IN LENGTH. SAID STRIP CONTAINS 1.30 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5464 DESCRIPTIONS

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5464X7F DESCRIPTION (SEE PAGE 10 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 3 AND THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) OF SECTION 7, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE N01°32'28"E ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 1330.90 FEET TO THE POINT OF BEGINNING; THENCE S89°22'50"E A DISTANCE OF 22.35 FEET; THENCE N89°13'46"E A DISTANCE OF 127.63 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 236.42 FEET, A RADIUS OF 400.00 FEET, A DELTA ANGLE OF 33°51'53", A CHORD BEARING OF N72°17'49"E, AND A CHORD LENGTH OF 232.99 FEET; THENCE N55°21'53"E A DISTANCE OF 141.55 FEET; THENCE N61°51'08"E A DISTANCE OF 72.99 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 226.86 FEET, A RADIUS OF 150.00 FEET, A DELTA ANGLE OF 86°39'18", A CHORD BEARING OF S74°49'13"E, AND A CHORD LENGTH OF 205.85 FEET; THENCE S31°29'34"E A DISTANCE OF 90.77 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 208.21 FEET, A RADIUS OF 140.00 FEET, A DELTA ANGLE OF 85°12'47", A CHORD BEARING OF S74°05'57"E, AND A CHORD LENGTH OF 189.55 FEET; THENCE N63°17'39"E A DISTANCE OF 146.24 FEET; THENCE N65°22'33"E A DISTANCE OF 108.26 FEET; THENCE N69°04'16"E A DISTANCE OF 301.68 FEET; THENCE N65°05'01"E A DISTANCE OF 95.64 FEET, MORE OR LESS, TO THE WESTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S56°05'54"E A DISTANCE OF 1859.91 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 7.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1778.60 FEET (107.79 RODS) IN LENGTH. SAID STRIP CONTAINS 1.23 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

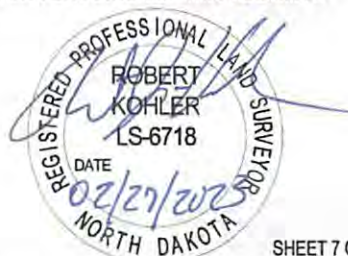
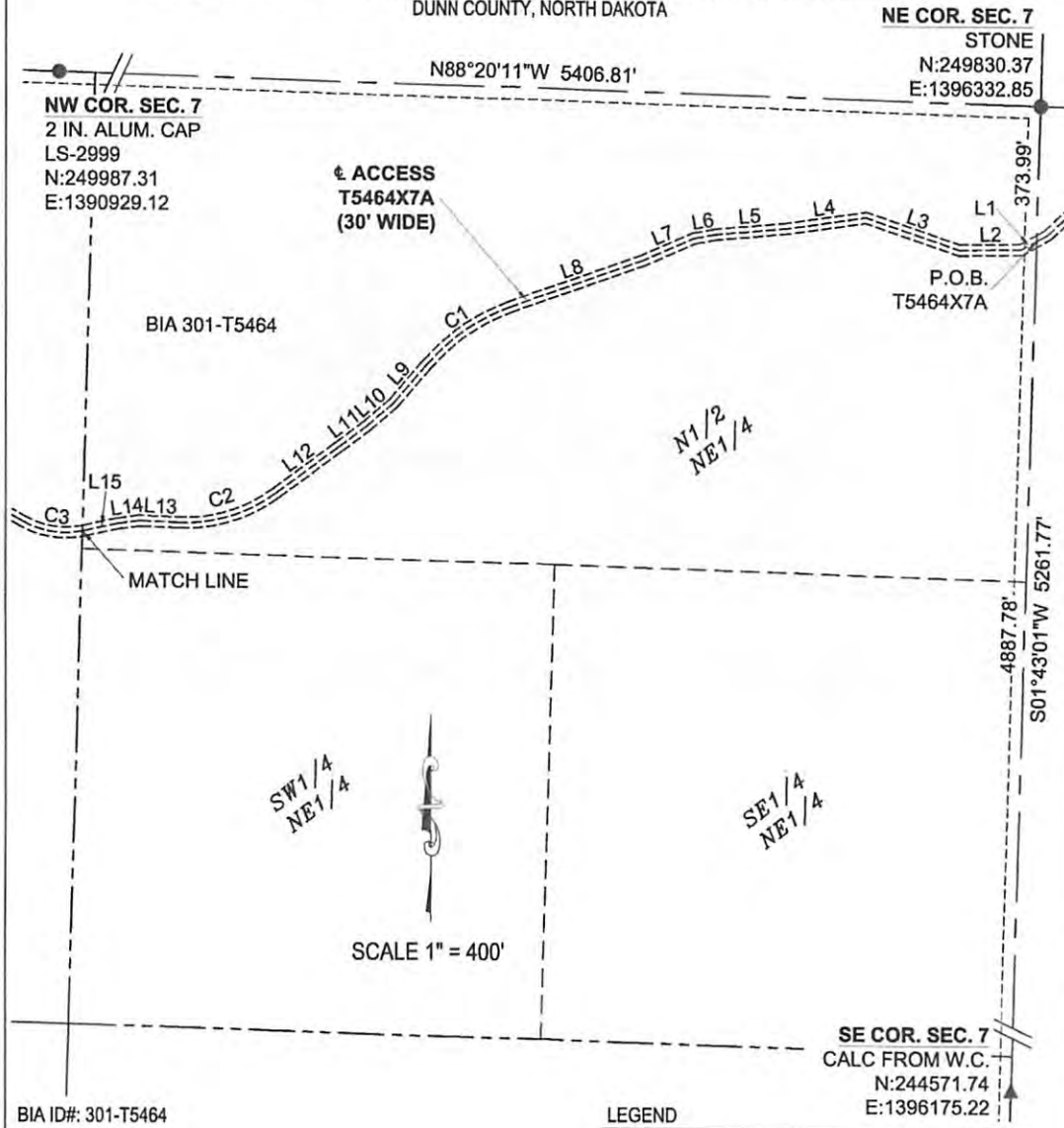


EXHIBIT C - BIA ID# 301-T5464 DESCRIPTIONS

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4)
IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION,
DUNN COUNTY, NORTH DAKOTA



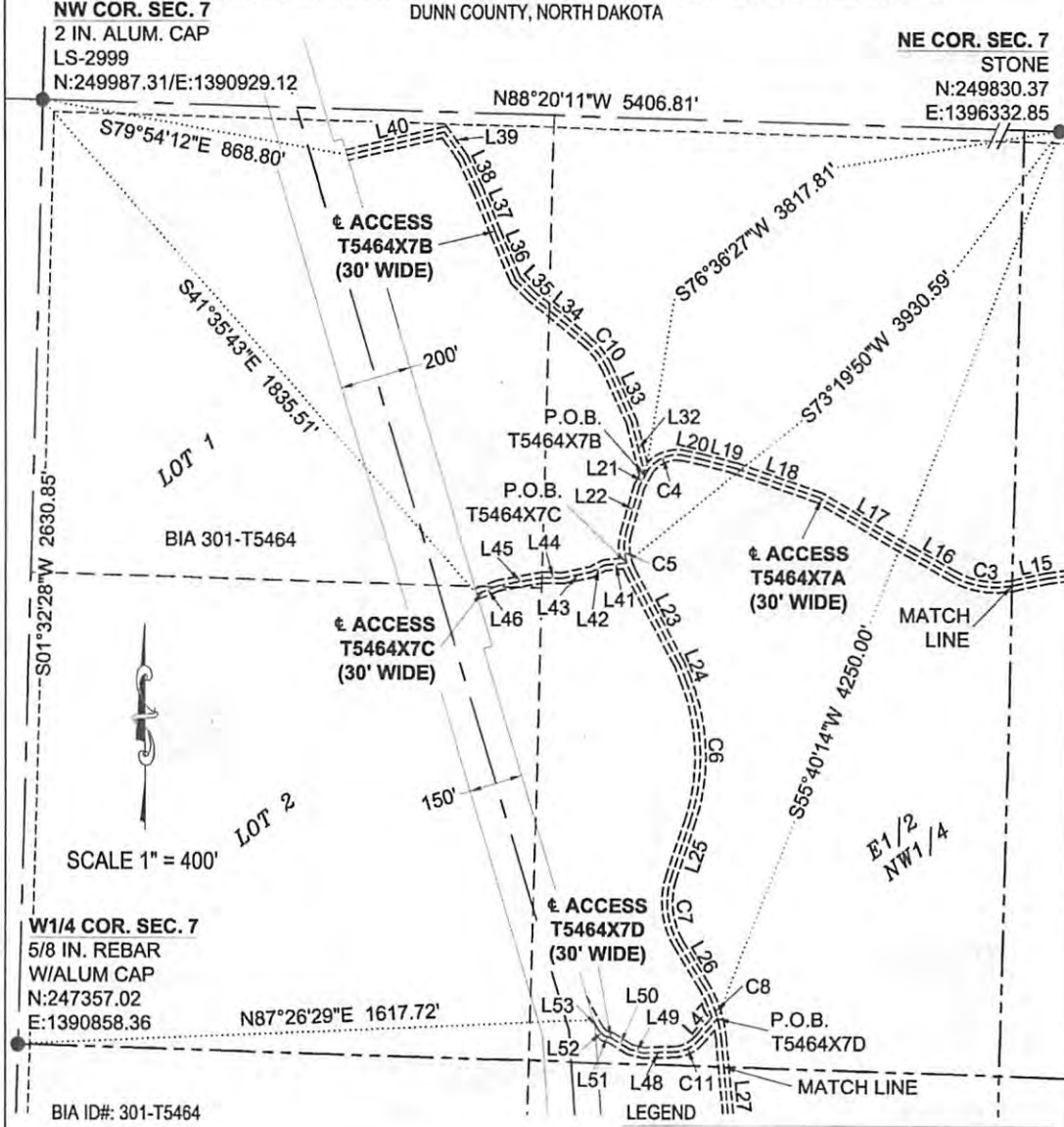
I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

[Signature]
ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5464 DESCRIPTIONS

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4)
 IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION,
 DUNN COUNTY, NORTH DAKOTA



- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

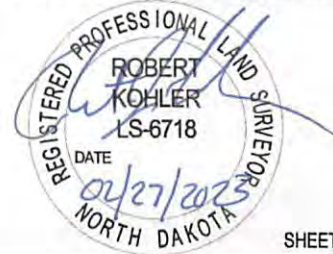
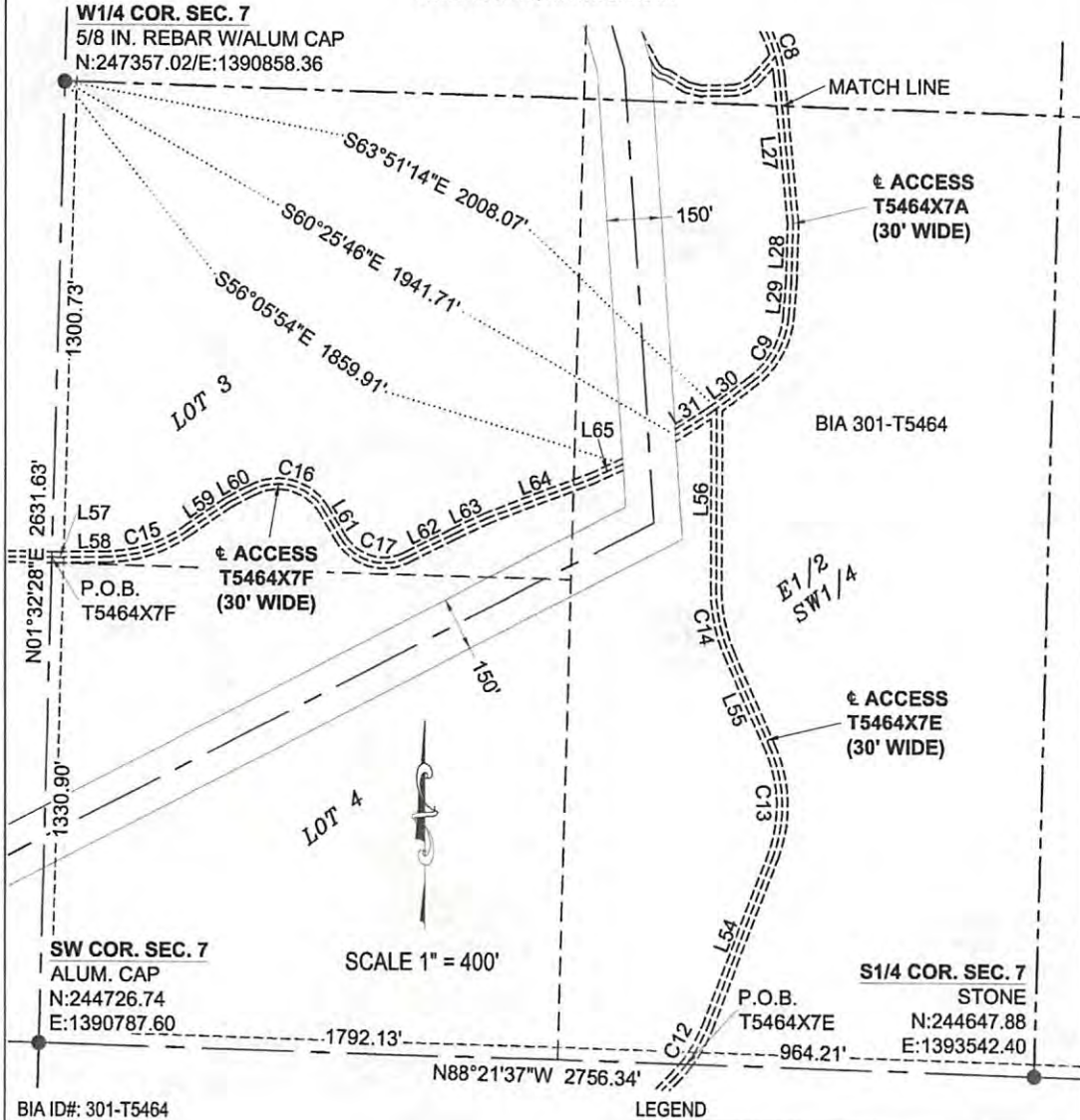


EXHIBIT C - BIA ID# 301-T5464 DESCRIPTIONS

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5464

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

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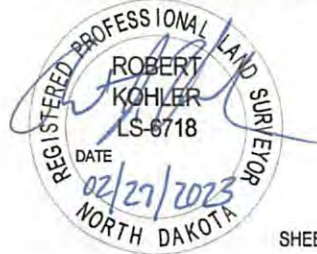


EXHIBIT C - BIA ID# 301-T5464 DESCRIPTIONS

LOT 1, LOT 2, LOT 3, LOT 4, PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4)
IN SECTION 7 TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION,
DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	S60°51'10"W	48.02'
L2	S89°10'28"W	173.78'
L3	N71°10'45"W	274.77'
L4	S81°46'21"W	228.72'
L5	S84°57'20"W	196.92'
L6	S79°52'50"W	62.50'
L7	S66°35'00"W	155.57'
L8	S70°28'36"W	394.36'
L9	S41°04'55"W	142.82'
L10	S49°33'17"W	95.92'
L11	S53°08'44"W	96.65'
L12	S53°53'38"W	224.06'
L13	N87°40'38"W	111.58'
L14	S82°25'54"W	61.08'
L15	S77°42'48"W	95.45'
L16	N60°19'03"W	129.74'
L17	N59°33'18"W	302.85'
L18	N70°53'33"W	243.69'
L19	N75°55'06"W	105.25'
L20	N77°08'54"W	43.87'
L21	S27°18'30"W	41.37'
L22	S16°17'27"W	128.71'
L23	S28°15'07"E	288.75'
L24	S22°00'01"E	46.67'
L25	S18°34'41"W	161.26'
L26	S31°24'18"E	133.75'
L27	S05°26'43"E	399.91'
L28	S01°41'22"W	158.09'
L29	S04°33'33"W	94.82'
L30	S53°33'46"W	141.24'
L31	S57°47'17"W	116.45'

LINE	BEARING	DISTANCE
L32	N13°59'02"W	157.10'
L33	N24°57'05"W	162.97'
L34	N51°36'05"W	201.67'
L35	N43°54'39"W	61.31'
L36	N22°51'47"W	146.89'
L37	N22°21'19"W	123.72'
L38	N25°35'20"W	103.93'
L39	N36°34'40"W	84.08'
L40	S76°43'26"W	279.14'
L41	S83°45'48"W	62.10'
L42	S62°27'28"W	40.83'
L43	S77°16'58"W	81.17'
L44	S89°59'53"W	60.33'
L45	S80°06'20"W	124.48'
L46	S68°54'14"W	64.87'
L47	S40°53'35"W	77.29'
L48	S88°44'12"W	84.13'
L49	N76°30'57"W	40.74'
L50	N58°05'11"W	61.35'
L51	N73°25'22"W	20.36'
L52	N46°05'56"W	20.16'
L53	N28°55'29"W	32.40'
L54	N21°08'20"E	490.65'
L55	N24°04'09"W	268.35'
L56	N00°04'35"E	495.44'
L57	S89°22'50"E	22.35'
L58	N89°13'46"E	127.63'
L59	N55°21'53"E	141.55'
L60	N61°51'08"E	72.99'
L61	S31°29'34"E	90.77'
L62	N63°17'39"E	146.24'
L63	N65°22'33"E	108.26'
L64	N69°04'16"E	301.68'
L65	N65°05'01"E	95.64'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	282.17'	550.00'	29°23'41"	S55°46'45"W	279.08'
C2	285.05'	425.00'	38°25'44"	S73°06'30"W	279.74'
C3	183.12'	250.00'	41°58'08"	N81°18'08"W	179.06'
C4	131.85'	100.00'	75°32'36"	S65°04'48"W	122.50'
C5	116.61'	150.00'	44°32'34"	S05°58'50"E	113.70'
C6	407.23'	575.00'	40°34'43"	S01°42'40"E	398.77'
C7	196.28'	225.00'	49°58'59"	S06°24'49"E	190.12'
C8	158.58'	350.00'	25°57'35"	S18°25'31"E	157.23'
C9	213.82'	250.00'	49°00'12"	S29°03'40"W	207.36'
C10	93.03'	200.00'	26°39'00"	N38°16'35"W	92.19'
C11	83.50'	100.00'	47°50'38"	S64°48'53"W	81.10'
C12	123.91'	425.00'	16°42'18"	N29°29'30"E	123.47'
C13	315.61'	400.00'	45°12'29"	N01°27'54"W	307.49'
C14	189.64'	450.00'	24°08'43"	N11°59'47"W	188.24'
C15	236.42'	400.00'	33°51'53"	N72°17'49"E	232.99'
C16	226.86'	150.00'	86°39'18"	S74°49'13"E	205.85'
C17	208.21'	140.00'	85°12'47"	S74°05'57"E	189.55'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



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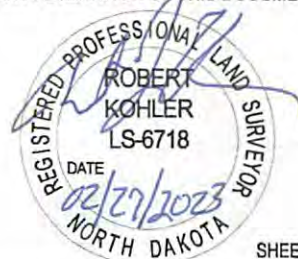


EXHIBIT A - BIA ID# 301-T5468

PART OF GOVERNMENT LOTS 1, 3 AND 4, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) AND THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) IN SECTION 18, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NATHAN KLEYER
Notary Public
State of North Dakota
My Commission Expires April 28, 2026


NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503


REGISTERED PROFESSIONAL LAND SURVEYOR
ROBERT KOHLER
LS-6718
DATE 02/24/2023
NORTH DAKOTA

EXHIBIT A - BIA ID# 301-T5468

PART OF GOVERNMENT LOTS 1, 3 AND 4, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) AND THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) IN SECTION 18, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA

ACCESS 5468X18A DESCRIPTION (SEE PAGE 3 OF 5):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 4 OF SECTION 18, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4; THENCE S88°06'54"E ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4 A DISTANCE OF 1200.37 FEET TO THE POINT OF BEGINNING; THENCE N40°50'40"W A DISTANCE OF 455.34 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 124.64 FEET, A RADIUS OF 250.00 FEET, A DELTA ANGLE OF 28°33'58", A CHORD BEARING OF N26°33'40"W, AND A CHORD LENGTH OF 123.36 FEET; THENCE N12°16'41"W A DISTANCE OF 97.39 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 163.07 FEET, A RADIUS OF 175.00 FEET, A DELTA ANGLE OF 53°23'24", A CHORD BEARING OF N38°58'23"W, AND A CHORD LENGTH OF 157.23 FEET; THENCE N65°40'05"W A DISTANCE OF 200.85 FEET; THENCE N68°42'25"W A DISTANCE OF 335.75 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 141.21 FEET, A RADIUS OF 150.00 FEET, A DELTA ANGLE OF 53°56'15", A CHORD BEARING OF N41°44'17"W, AND A CHORD LENGTH OF 136.05 FEET; THENCE N14°46'10"W A DISTANCE OF 126.54 FEET; THENCE N28°51'50"W A DISTANCE OF 154.93 FEET, MORE OR LESS, TO THE WEST LINE OF SAID GOVERNMENT LOT 4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°36'45"W A DISTANCE OF 4062.50 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 18.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1799.72 FEET (109.07 RODS) IN LENGTH. SAID STRIP CONTAINS 1.24 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS 5468X18B DESCRIPTION (SEE PAGE 4 OF 5):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 1 AND THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4) OF SECTION 18, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:


COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18; THENCE S88°21'37"E ALONG THE NORTH LINE OF SAID SECTION 18 A DISTANCE OF 1792.13 FEET TO THE POINT OF BEGINNING; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 55.99 FEET, A RADIUS OF 425.00 FEET, A DELTA ANGLE OF 07°32'54", A CHORD BEARING OF S41°37'05"W, AND A CHORD LENGTH OF 55.95 FEET; THENCE S45°23'32"W A DISTANCE OF 151.18 FEET; THENCE S38°45'05"W A DISTANCE OF 94.12 FEET; THENCE S38°02'33"W A DISTANCE OF 256.74 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 477.54 FEET, A RADIUS OF 775.00 FEET, A DELTA ANGLE OF 35°18'17", A CHORD BEARING OF S55°41'42"W, AND A CHORD LENGTH OF 470.02 FEET; THENCE S73°20'50"W A DISTANCE OF 123.12 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 196.15 FEET, A RADIUS OF 175.00 FEET, A DELTA ANGLE OF 64°13'09", A CHORD BEARING OF S41°14'16"W, AND A CHORD LENGTH OF 186.04 FEET; THENCE S09°07'41"W A DISTANCE OF 93.15 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 285.48 FEET, A RADIUS OF 675.00 FEET, A DELTA ANGLE OF 22°32'06", A CHORD BEARING OF S20°23'44"W, AND A CHORD LENGTH OF 263.78 FEET; THENCE S31°39'47"W A DISTANCE OF 94.65 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID GOVERNMENT LOT 1 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N11°25'01"E A DISTANCE OF 4002.33 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 18.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1808.12 FEET (109.58 RODS) IN LENGTH. SAID STRIP CONTAINS 1.24 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

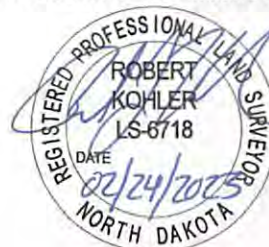


EXHIBIT A - BIA ID# 301-T5468

PART OF GOVERNMENT LOTS 1, 3 AND 4, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) AND THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) IN SECTION 18, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5468

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

(Signature)
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

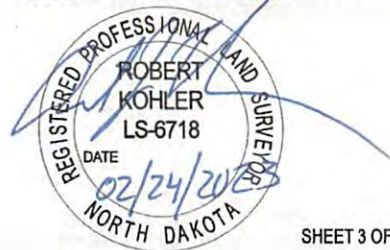
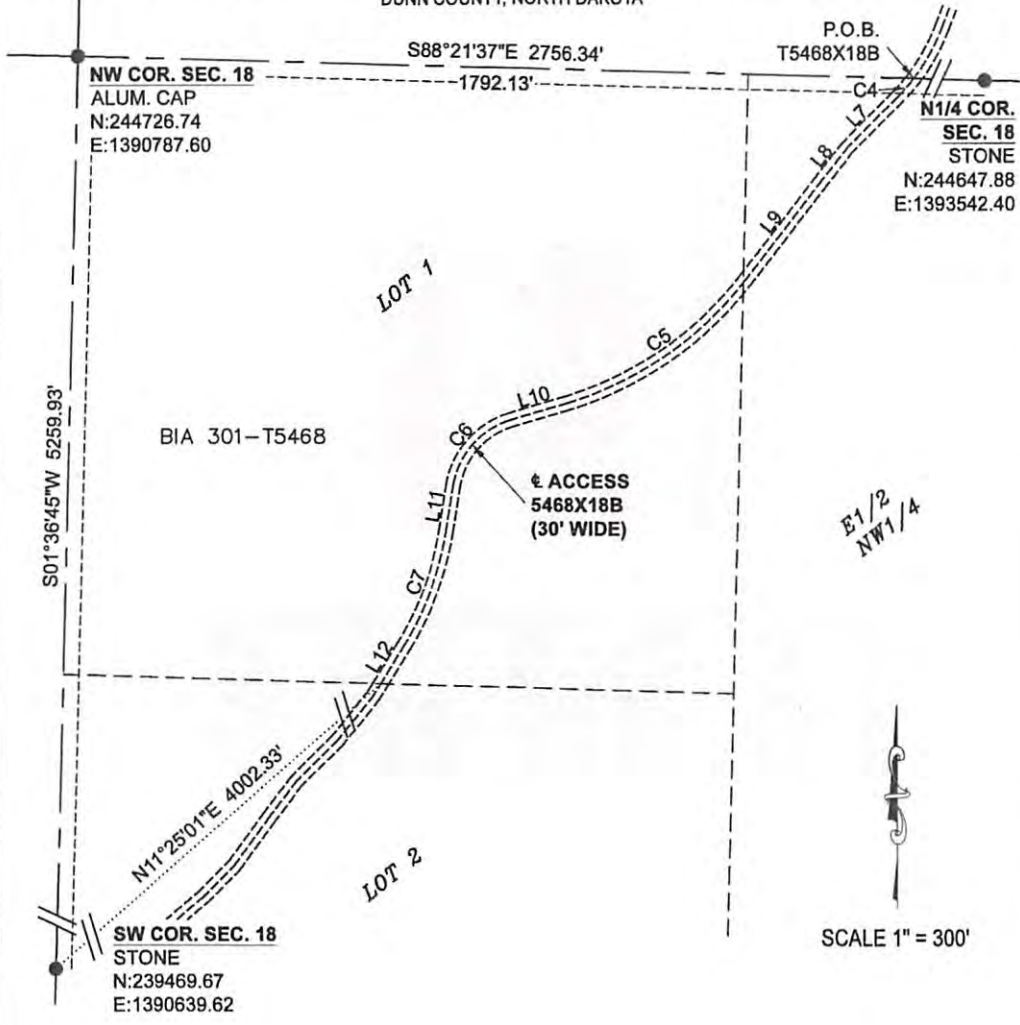


EXHIBIT A - BIA ID# 301-T5468

PART OF GOVERNMENT LOTS 1, 3 AND 4, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) AND THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) IN SECTION 18, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5468

LEGEND

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- ▲ CALCULATED CORNER

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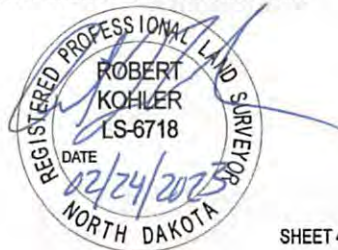


EXHIBIT A - BIA ID# 301-T5468 LINE/CURVE TABLES

PART OF GOVERNMENT LOTS 1, 3 AND 4, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4), THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) AND THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) IN SECTION 18, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	N40°50'40"W	455.34'
L2	N12°16'41"W	97.39'
L3	N65°40'05"W	200.85'
L4	N68°42'25"W	335.75'
L5	N14°46'10"W	126.54'
L6	N28°51'50"W	154.93'
L7	S45°23'32"W	151.18'
L8	S38°45'05"W	94.12'
L9	S38°02'33"W	256.74'
L10	S73°20'50"W	123.12'
L11	S09°07'41"W	93.15'
L12	S31°39'47"W	94.65'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	124.64'	250.00'	28°33'58"	N26°33'40"W	123.36'
C2	163.07'	175.00'	53°23'24"	N38°58'23"W	157.23'
C3	141.21'	150.00'	53°56'15"	N41°44'17"W	136.05'
C4	55.99'	425.00'	7°32'54"	S41°37'05"W	55.95'
C5	477.54'	775.00'	35°18'17"	S55°41'42"W	470.02'
C6	196.15'	175.00'	64°13'09"	S41°14'16"W	186.04'
C7	265.48'	675.00'	22°32'06"	S20°23'44"W	263.78'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



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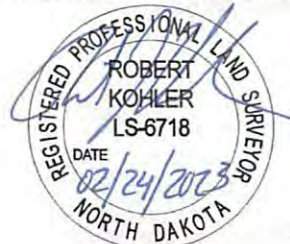
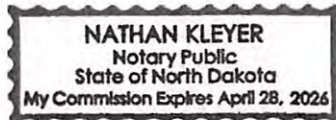


EXHIBIT A - BIA ID# 301-T5469

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHEAST QUARTER (SE1/4) IN SECTION 19, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION
DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



[Signature]
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

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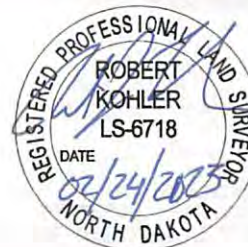


EXHIBIT A - BIA ID# 301-T5469

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHEAST QUARTER (SE1/4) IN SECTION 19, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA

ACCESS T5469X19A DESCRIPTION (SEE PAGE 4 OF 7):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 19, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE1/4; THENCE N01°12'36"E ALONG THE EAST LINE OF SAID SE1/4 A DISTANCE OF 74.53 FEET TO THE POINT OF BEGINNING; THENCE N16°33'08"W A DISTANCE OF 13.06 FEET; THENCE N29°15'21"W A DISTANCE OF 93.57 FEET; THENCE N37°22'52"W A DISTANCE OF 196.70 FEET; THENCE N45°27'55"W A DISTANCE OF 98.30 FEET; THENCE N56°47'43"W A DISTANCE OF 137.95 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 216.43 FEET, A RADIUS OF 310.00 FEET, A DELTA ANGLE OF 40°00'09", A CHORD BEARING OF N36°47'38"W, AND A CHORD LENGTH OF 212.07 FEET; THENCE N16°47'33"W A DISTANCE OF 183.98 FEET; THENCE N22°00'06"W A DISTANCE OF 95.94 FEET; THENCE N31°08'29"W A DISTANCE OF 62.65 FEET; THENCE N38°02'21"W A DISTANCE OF 90.91 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 105.52 FEET, A RADIUS OF 300.00 FEET, A DELTA ANGLE OF 20°09'12", A CHORD BEARING OF N27°57'45"W, AND A CHORD LENGTH OF 104.98 FEET; THENCE N17°53'09"W A DISTANCE OF 116.26 FEET; THENCE N25°12'50"W A DISTANCE OF 92.45 FEET; THENCE N32°04'54"W A DISTANCE OF 131.72 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 138.83 FEET, A RADIUS OF 200.00 FEET, A DELTA ANGLE OF 39°46'23", A CHORD BEARING OF N12°11'43"W, AND A CHORD LENGTH OF 136.06 FEET; THENCE N07°41'29"E A DISTANCE OF 172.75 FEET; THENCE N12°22'23"E A DISTANCE OF 222.08 FEET; THENCE N06°48'59"E A DISTANCE OF 93.31 FEET; THENCE N02°39'03"E A DISTANCE OF 353.00 FEET; THENCE N03°15'31"E A DISTANCE OF 94.12 FEET; THENCE N00°05'10"E A DISTANCE OF 145.59 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 24.19 FEET, A RADIUS OF 315.00 FEET, A DELTA ANGLE OF 04°24'01", A CHORD BEARING OF N02°06'51"W, AND A CHORD LENGTH OF 24.19 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SE1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N61°46'57"E A DISTANCE OF 5245.90 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 2879.31 FEET (174.50 RODS) IN LENGTH. SAID STRIP CONTAINS 1.98 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

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ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5469

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHEAST QUARTER (SE1/4) IN SECTION 19, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA

ACCESS T5469X19B DESCRIPTION (SEE PAGE 5 OF 7 AND PAGE 6 OF 7):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 1, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 19, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19; THENCE S88°06'54"E ALONG THE NORTH LINE OF SAID SECTION 19 A DISTANCE OF 1200.37 FEET TO THE POINT OF BEGINNING; THENCE S40°50'40"E A DISTANCE OF 87.55 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 179.44 FEET, A RADIUS OF 200.00 FEET, A DELTA ANGLE OF 51°24'18", A CHORD BEARING OF S15°08'31"E, AND A CHORD LENGTH OF 173.48 FEET; THENCE S10°33'38"W A DISTANCE OF 84.11 FEET; THENCE S18°02'40"W A DISTANCE OF 126.53 FEET; THENCE S08°48'59"W A DISTANCE OF 63.00 FEET; THENCE S06°42'10"E A DISTANCE OF 55.80 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 191.54 FEET, A RADIUS OF 130.00 FEET, A DELTA ANGLE OF 84°25'16", A CHORD BEARING OF S48°54'48"E, AND A CHORD LENGTH OF 174.68 FEET; THENCE N88°52'34"E A DISTANCE OF 86.23 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 146.24 FEET, A RADIUS OF 215.00 FEET, A DELTA ANGLE OF 38°58'23", A CHORD BEARING OF S71°38'15"E, AND A CHORD LENGTH OF 143.44 FEET; THENCE S52°09'03"E A DISTANCE OF 51.11 FEET; THENCE S60°57'06"E A DISTANCE OF 105.24 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 163.72 FEET, A RADIUS OF 450.00 FEET, A DELTA ANGLE OF 20°50'43", A CHORD BEARING OF S50°31'45"E, AND A CHORD LENGTH OF 162.82 FEET; THENCE S40°06'23"E A DISTANCE OF 140.54 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 302.03 FEET, A RADIUS OF 370.00 FEET, A DELTA ANGLE OF 46°46'16", A CHORD BEARING OF S63°29'31"E, AND A CHORD LENGTH OF 293.72 FEET; THENCE S86°52'39"E A DISTANCE OF 83.09 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 207.07 FEET, A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 43°08'36", A CHORD BEARING OF S65°18'21"E, AND A CHORD LENGTH OF 202.22 FEET; THENCE S43°44'03"E A DISTANCE OF 182.94 FEET; THENCE S56°06'25"E A DISTANCE OF 127.44 FEET; THENCE S65°22'48"E A DISTANCE OF 93.70 FEET; THENCE S73°00'57"E A DISTANCE OF 124.99 FEET; THENCE S80°58'27"E A DISTANCE OF 63.16 FEET; THENCE S85°08'17"E A DISTANCE OF 81.49 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 123.11 FEET, A RADIUS OF 410.00 FEET, A DELTA ANGLE OF 17°12'13", A CHORD BEARING OF S76°32'11"E, AND A CHORD LENGTH OF 122.64 FEET; THENCE S67°56'05"E A DISTANCE OF 78.59 FEET; THENCE S72°04'10"E A DISTANCE OF 60.21 FEET; THENCE S75°15'58"E A DISTANCE OF 154.91 FEET; THENCE S72°31'43"E A DISTANCE OF 251.00 FEET; THENCE S72°57'57"E A DISTANCE OF 220.15 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 125.33 FEET, A RADIUS OF 350.00 FEET, A DELTA ANGLE OF 20°31'03", A CHORD BEARING OF S62°42'25"E, AND A CHORD LENGTH OF 124.67 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SW1/4NE1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S38°28'29"W A DISTANCE OF 2168.54 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 3760.26 FEET (227.89 RODS) IN LENGTH. SAID STRIP CONTAINS 2.59 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

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1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

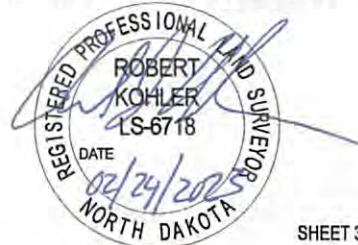
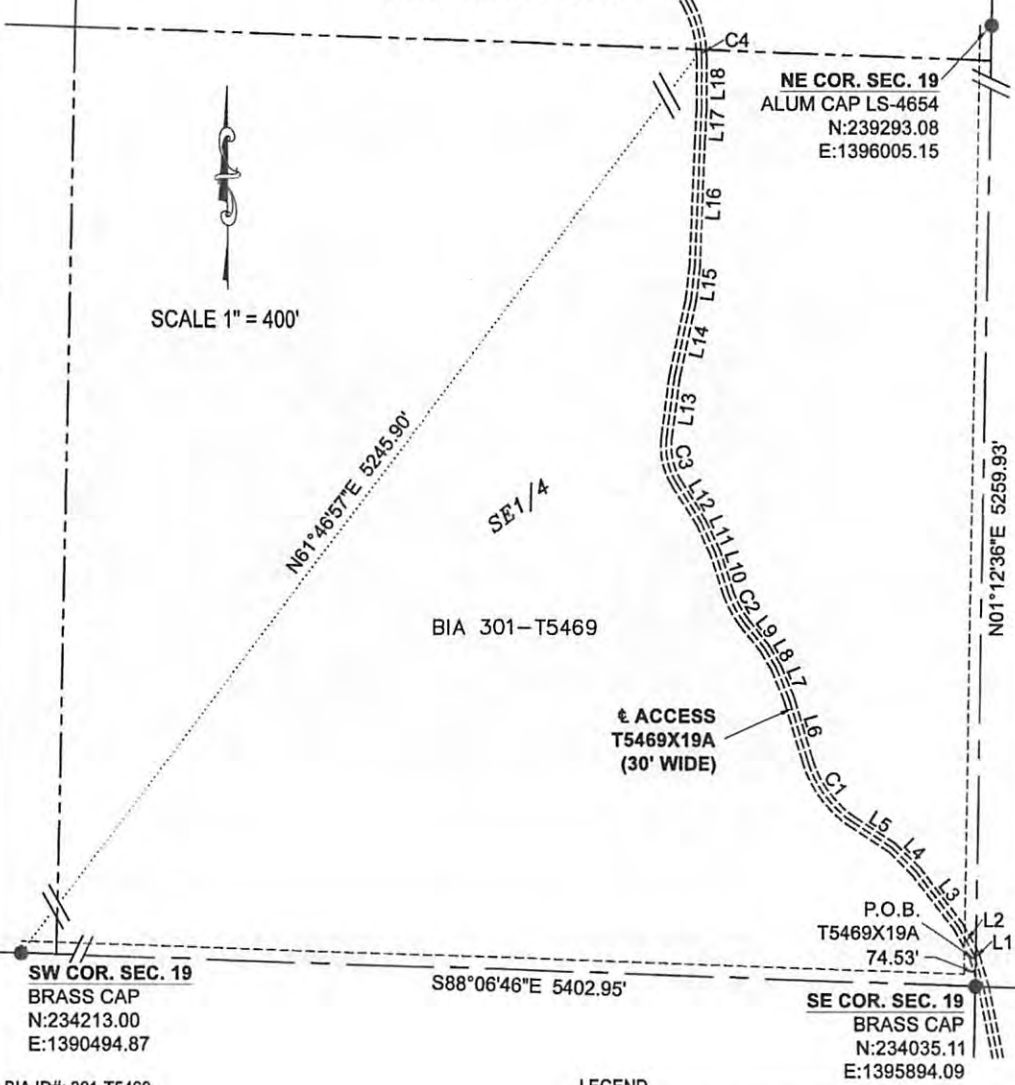


EXHIBIT A - BIA ID# 301-T5469

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHEAST QUARTER (SE1/4) IN SECTION 19, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5469

- LEGEND**
- FOUND MONUMENT
 - ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

[Handwritten Signature]

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

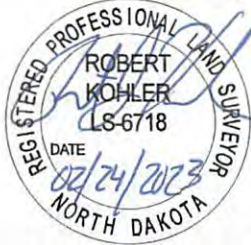
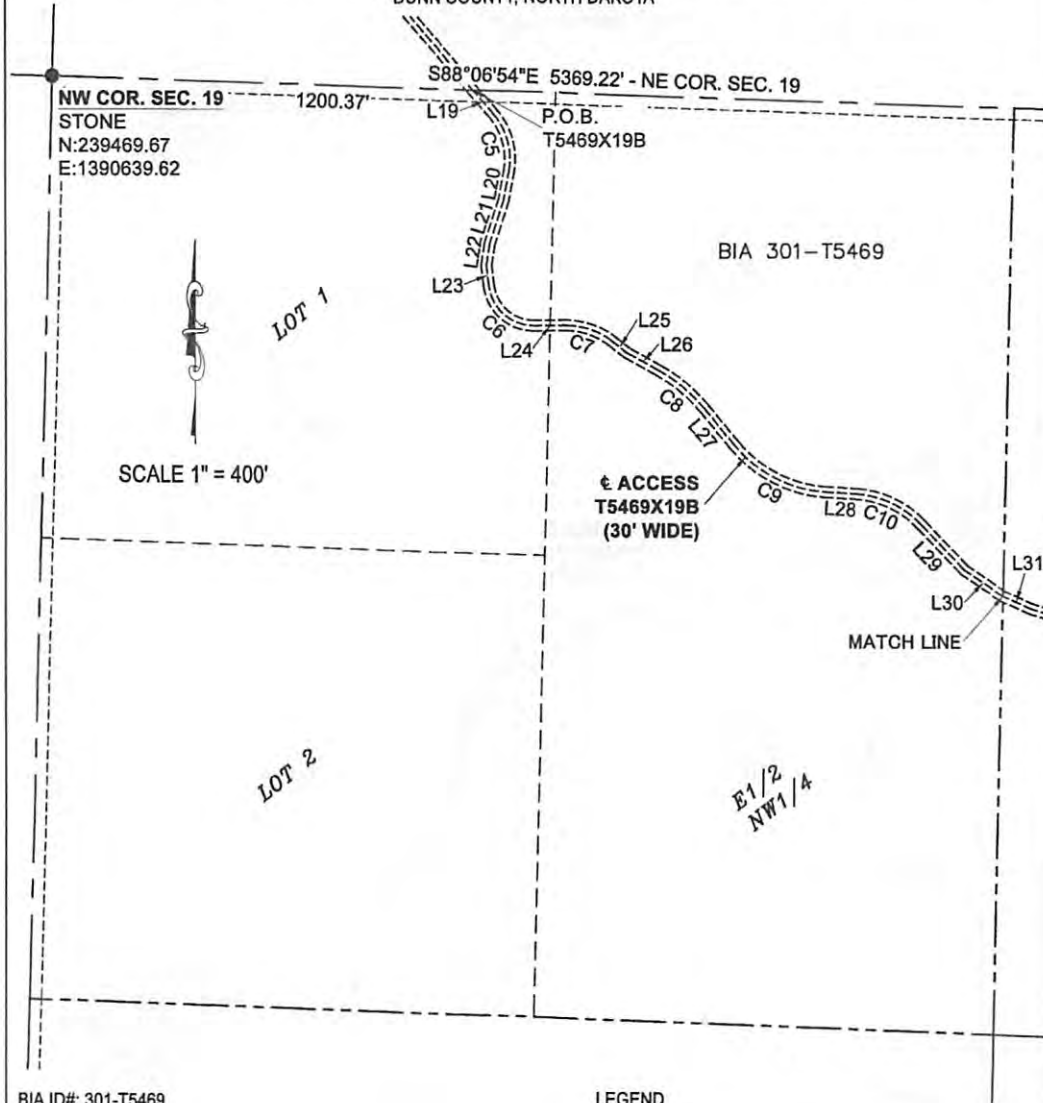


EXHIBIT A - BIA ID# 301-T5469

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHEAST QUARTER (SE1/4) IN SECTION 19, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5469

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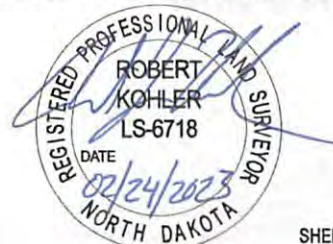
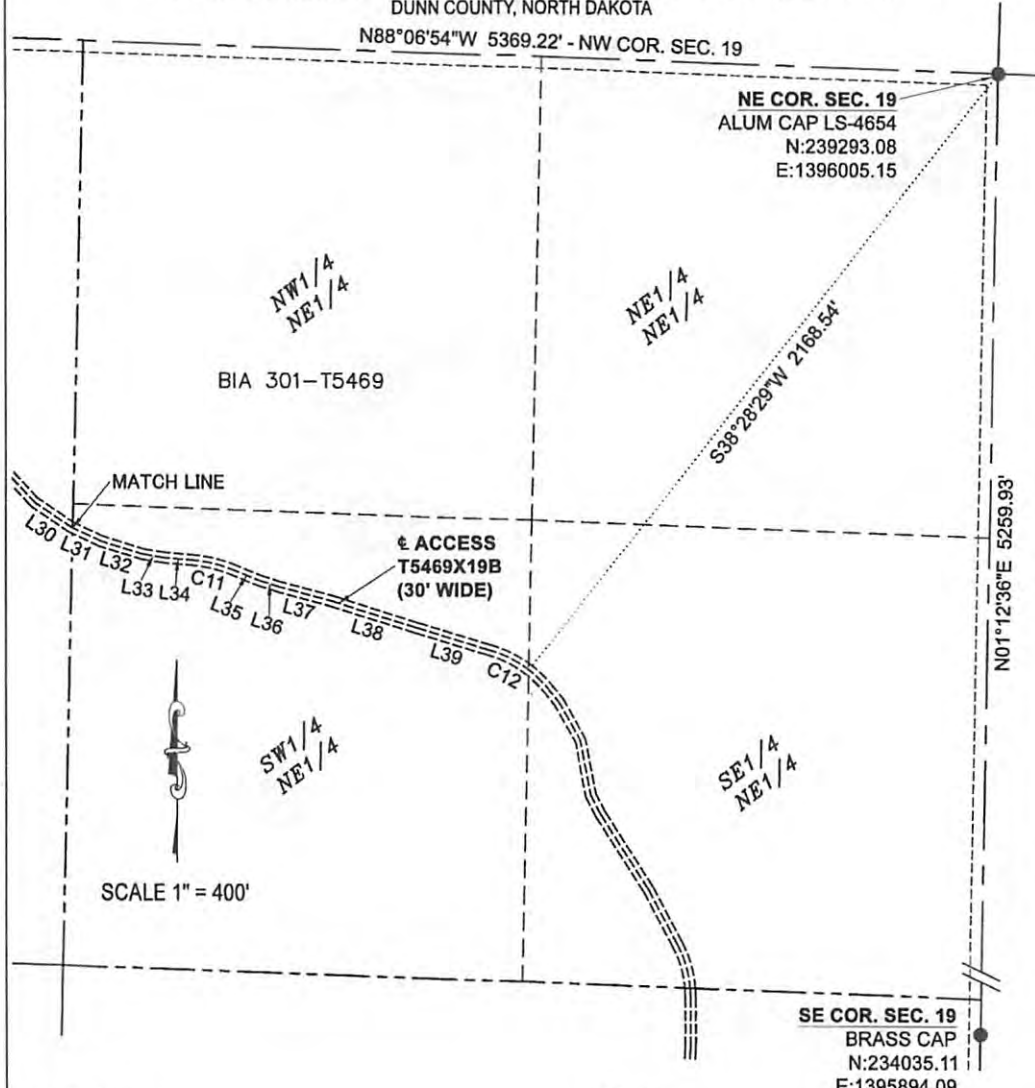


EXHIBIT A - BIA ID# 301-T5469

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHEAST QUARTER (SE1/4) IN SECTION 19, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5469

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

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[Handwritten Signature]

ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5469 LINE/CURVE TABLES

PART OF GOVERNMENT LOTS 1, 2, 3 AND 4, THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) AND THE SOUTHEAST QUARTER (SE1/4) IN SECTION 19, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION
DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	N16°33'08"W	13.06'
L2	N29°15'21"W	93.57'
L3	N37°22'52"W	196.70'
L4	N45°27'55"W	98.30'
L5	N56°47'43"W	137.95'
L6	N16°47'33"W	183.98'
L7	N22°00'06"W	95.94'
L8	N31°08'29"W	62.65'
L9	N38°02'21"W	90.91'
L10	N17°53'09"W	116.26'
L11	N25°12'50"W	92.45'
L12	N32°04'54"W	131.72'
L13	N07°41'29"E	172.75'
L14	N12°22'23"E	222.08'
L15	N06°48'59"E	93.31'
L16	N02°39'03"E	353.00'
L17	N03°15'31"E	94.12'
L18	N00°05'10"E	145.59'
L19	S40°50'40"E	87.55'
L20	S10°33'38"W	84.11'
L21	S18°02'40"W	126.53'
L22	S08°48'59"W	63.00'
L23	S06°42'10"E	55.80'
L24	N88°52'34"E	86.23'
L25	S52°09'03"E	51.11'
L26	S60°57'06"E	105.24'
L27	S40°06'23"E	140.54'
L28	S86°52'39"E	83.09'
L29	S43°44'03"E	182.94'
L30	S56°06'25"E	127.44'
L31	S65°22'48"E	93.70'
L32	S73°00'57"E	124.99'
L33	S80°58'27"E	63.16'
L34	S85°08'17"E	81.49'
L35	S67°56'05"E	78.59'
L36	S72°04'10"E	60.21'
L37	S75°15'58"E	154.91'
L38	S72°31'43"E	251.00'
L39	S72°57'57"E	220.15'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	216.43'	310.00'	40°00'09"	N36°47'38"W	212.07'
C2	105.52'	300.00'	20°09'12"	N27°57'45"W	104.98'
C3	138.83'	200.00'	39°46'23"	N12°11'43"W	136.06'
C4	24.19'	315.00'	4°24'01"	N02°06'51"W	24.19'
C5	179.44'	200.00'	51°24'18"	S15°08'31"E	173.48'
C6	191.54'	130.00'	84°25'16"	S48°54'48"E	174.68'
C7	146.24'	215.00'	38°58'23"	S71°38'15"E	143.44'
C8	163.72'	450.00'	20°50'43"	S50°31'45"E	162.82'
C9	302.03'	370.00'	46°46'16"	S63°29'31"E	293.72'
C10	207.07'	275.00'	43°08'36"	S65°18'21"E	202.22'
C11	123.11'	410.00'	17°12'13"	S76°32'11"E	122.64'
C12	125.33'	350.00'	20°31'03"	S62°42'25"E	124.67'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

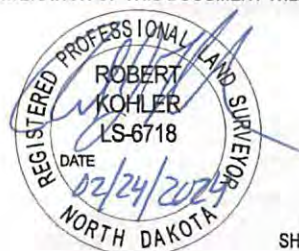


EXHIBIT A - BIA ID# 301-T5470

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) IN SECTION 20, TOWNSHIP 148 NORTH,
RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ACCESS T5470X20A DESCRIPTION (SEE PAGE 2 OF 2):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SECTION 20, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SW1/4SW1/4; THENCE S88°42'58"E ALONG THE SOUTH LINE OF SAID SW1/4SW1/4 A DISTANCE OF 23.88 FEET TO THE POINT OF BEGINNING; THENCE N16°33'08"W A DISTANCE OF 78.29 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SW1/4SW1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°12'36"W A DISTANCE OF 5185.40 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 20.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 78.29 FEET (4.74 RODS) IN LENGTH. SAID STRIP CONTAINS 0.05 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NATHAN KLEYER
Notary Public
State of North Dakota
My Commission Expires April 28, 2026


NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

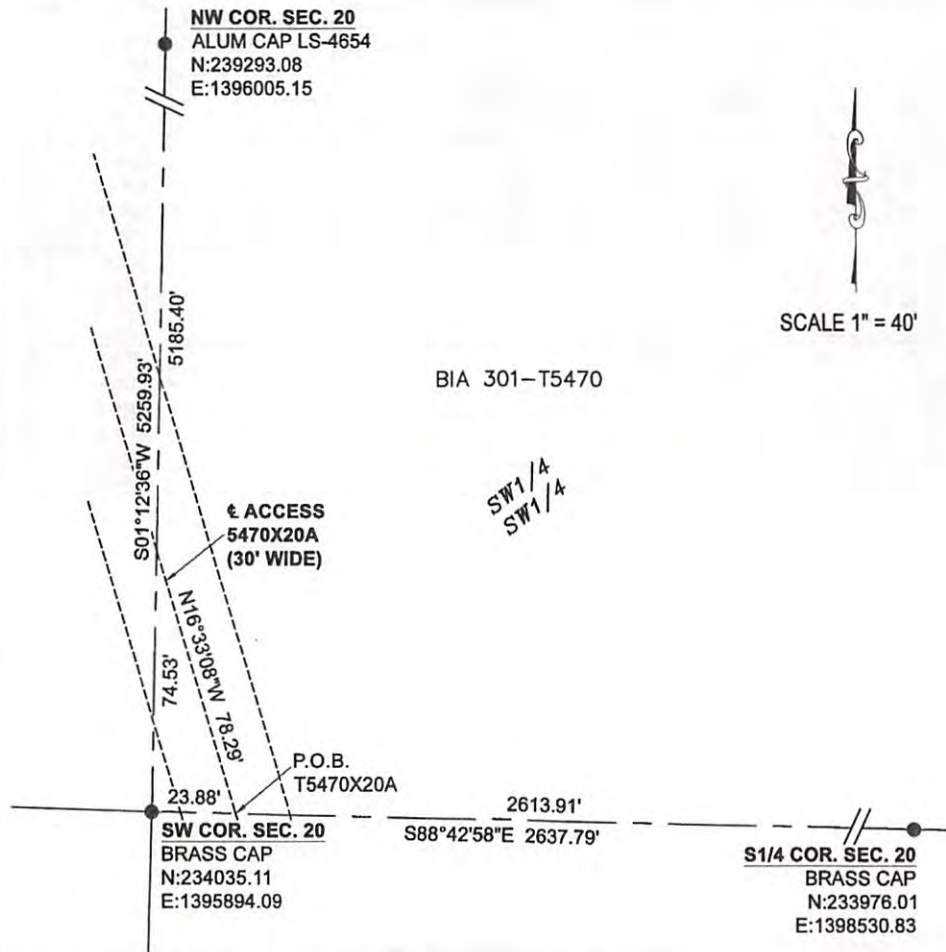
I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503


REGISTERED PROFESSIONAL SURVEYOR
ROBERT KOHLER
LS-6718
DATE 02/24/2023
NORTH DAKOTA

EXHIBIT A - BIA ID# 301-T5470

PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) IN SECTION 20, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA 301-T5470

SW1/4
SW1/4

BIA ID#: 301-T5470

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

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[Handwritten Signature]
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

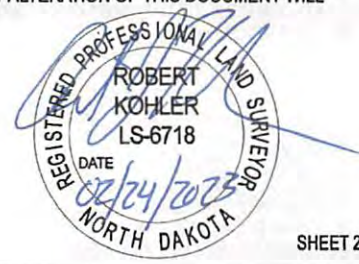


EXHIBIT A - BIA ID# 301-T5472

PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) IN SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ON THIS 27th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NATHAN KLEYER
Notary Public
State of North Dakota
My Commission Expires April 28, 2026


NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

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BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5472

PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) IN SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5472X29A DESCRIPTION (SEE PAGE 4 OF 7):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) OF SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID W1/2NW1/4; THENCE S88°42'58"E ALONG THE NORTH LINE OF SAID W1/2NW1/4 A DISTANCE OF 23.88 FEET TO THE POINT OF BEGINNING; THENCE S16°33'08"E A DISTANCE OF 1.59 FEET; THENCE S11°18'32"E A DISTANCE OF 200.37 FEET; THENCE S03°47'10"E A DISTANCE OF 93.21 FEET; THENCE S01°06'02"W A DISTANCE OF 283.50 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 173.61 FEET, A RADIUS OF 200.00 FEET, A DELTA ANGLE OF 49°44'11", A CHORD BEARING OF S23°46'04"E, AND A CHORD LENGTH OF 168.21 FEET; THENCE S48°23'33"E A DISTANCE OF 289.96 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 148.02 FEET, A RADIUS OF 330.00 FEET, A DELTA ANGLE OF 25°41'57", A CHORD BEARING OF S61°14'32"E, AND A CHORD LENGTH OF 146.78 FEET; THENCE S74°05'30"E A DISTANCE OF 142.98 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 135.12 FEET, A RADIUS OF 280.00 FEET, A DELTA ANGLE OF 27°39'01", A CHORD BEARING OF S60°16'00"E, AND A CHORD LENGTH OF 133.82 FEET; THENCE S46°26'30"E A DISTANCE OF 71.13 FEET; THENCE S38°13'49"E A DISTANCE OF 207.62 FEET; THENCE S41°26'41"E A DISTANCE OF 129.47 FEET; THENCE S45°11'25"E A DISTANCE OF 192.93 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 301.99 FEET, A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 62°55'08", A CHORD BEARING OF S13°43'51"E, AND A CHORD LENGTH OF 287.04 FEET; THENCE S17°43'43"W A DISTANCE OF 98.97 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 183.50 FEET, A RADIUS OF 300.00 FEET, A DELTA ANGLE OF 35°02'44", A CHORD BEARING OF S00°12'21"W, AND A CHORD LENGTH OF 180.65 FEET; THENCE S17°19'01"E A DISTANCE OF 211.86 FEET; THENCE S13°42'49"E A DISTANCE OF 79.64 FEET, MORE OR LESS, TO THE EAST LINE OF SAID W1/2NW1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N79°13'20"E A DISTANCE OF 1350.63 FEET FROM THE SOUTHWEST CORNER OF SAID W1/2NW1/4.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 2945.47 FEET (178.51 RODS) IN LENGTH. SAID STRIP CONTAINS 2.03 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

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1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5472

PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) IN SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5472X29B DESCRIPTION (SEE PAGE 5 OF 7):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW1/4SW1/4; THENCE S73°14'39"E A DISTANCE OF 1367.24 FEET TO THE POINT OF BEGINNING, SAID POINT BEING LOCATED ON THE EAST LINE OF SAID NW1/4SW1/4; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 122.39 FEET, A RADIUS OF 270.00 FEET, A DELTA ANGLE OF 25°58'20", A CHORD BEARING OF S02°28'47"W, AND A CHORD LENGTH OF 121.35 FEET; THENCE S10°30'23"E A DISTANCE OF 9.63 FEET, MORE OF LESS, TO THE EAST LINE OF SAID NW1/4SW1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N01°31'51"E A DISTANCE OF 828.63 FEET FROM THE SOUTHEAST CORNER OF SAID NW1/4SW1/4.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 132.02 FEET (8.00 RODS) IN LENGTH. SAID STRIP CONTAINS 0.09 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5472X29C DESCRIPTION (SEE PAGE 6 OF 7):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) OF SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SE1/4SW1/4; THENCE S88°20'25"E ALONG THE NORTH LINE OF SAID SE1/4SW1/4 A DISTANCE OF 116.65 FEET TO THE POINT OF BEGINNING; THENCE S14°00'58"E A DISTANCE OF 56.10 FEET; THENCE S21°13'22"E A DISTANCE OF 92.48 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 81.98 FEET, A RADIUS OF 184.90 FEET, A DELTA ANGLE OF 25°24'12", A CHORD BEARING OF S33°55'28"E, AND A CHORD LENGTH OF 81.31 FEET; THENCE S46°37'34"E A DISTANCE OF 95.61 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 375.14 FEET, A RADIUS OF 225.00 FEET, A DELTA ANGLE OF 95°31'46", A CHORD BEARING OF S01°08'19"W, AND A CHORD LENGTH OF 333.18 FEET; THENCE S48°54'12"W A DISTANCE OF 177.25 FEET; THENCE S36°45'27"W A DISTANCE OF 50.84 FEET; THENCE S35°18'34"W A DISTANCE OF 79.91 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 99.21 FEET, A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 56°50'29", A CHORD BEARING OF S63°43'49"W, AND A CHORD LENGTH OF 95.19 FEET, MORE OF LESS, TO THE WEST LINE OF SAID SE1/4SW1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N01°32'48"E A DISTANCE OF 23.24 FEET FROM THE MEANDER CORNER ALONG THE WEST LINE OF SAID SE1/4SW1/4.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1108.52 FEET (67.18 RODS) IN LENGTH. SAID STRIP CONTAINS 0.76 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

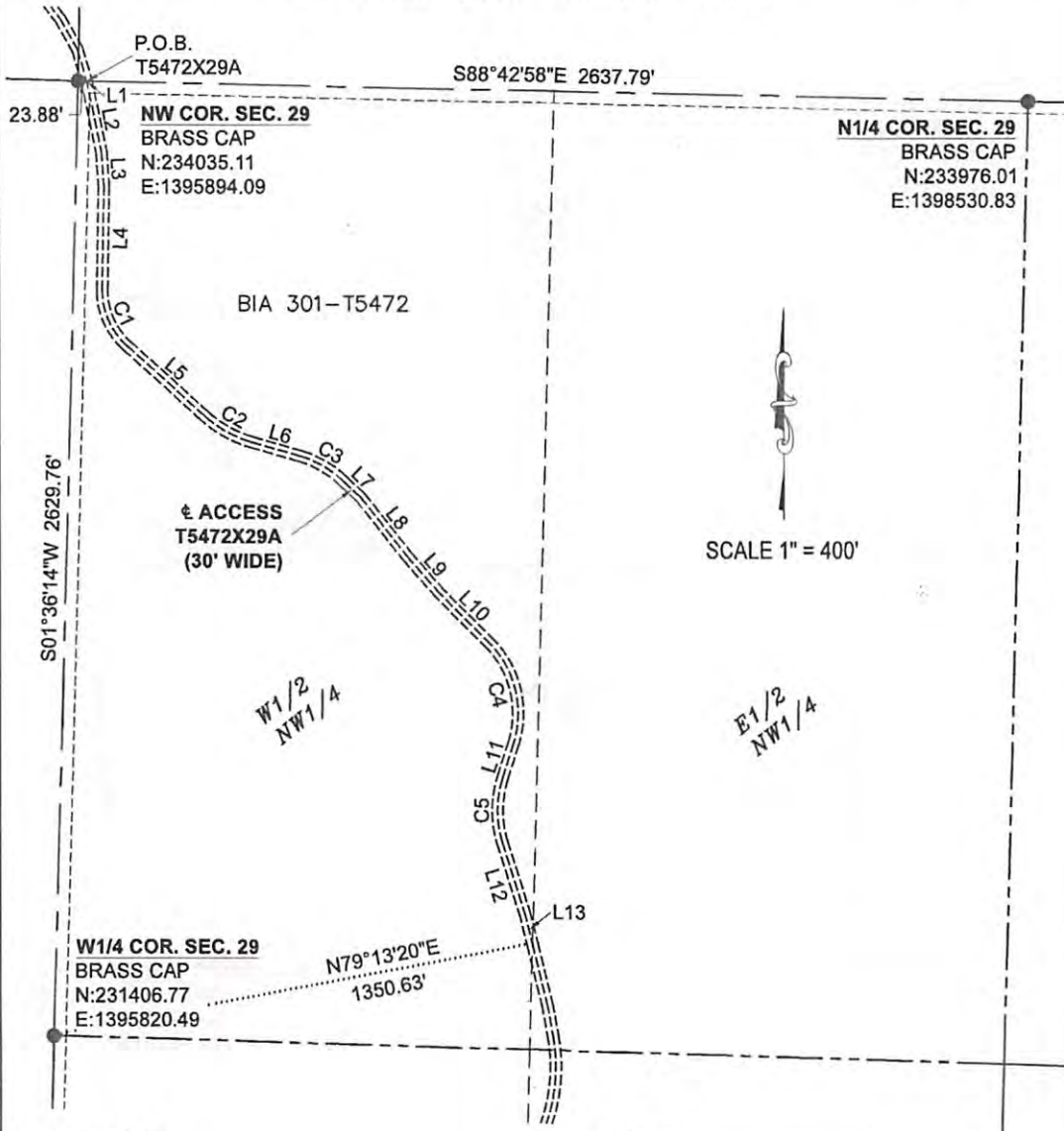


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5472

PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) IN SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5472

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

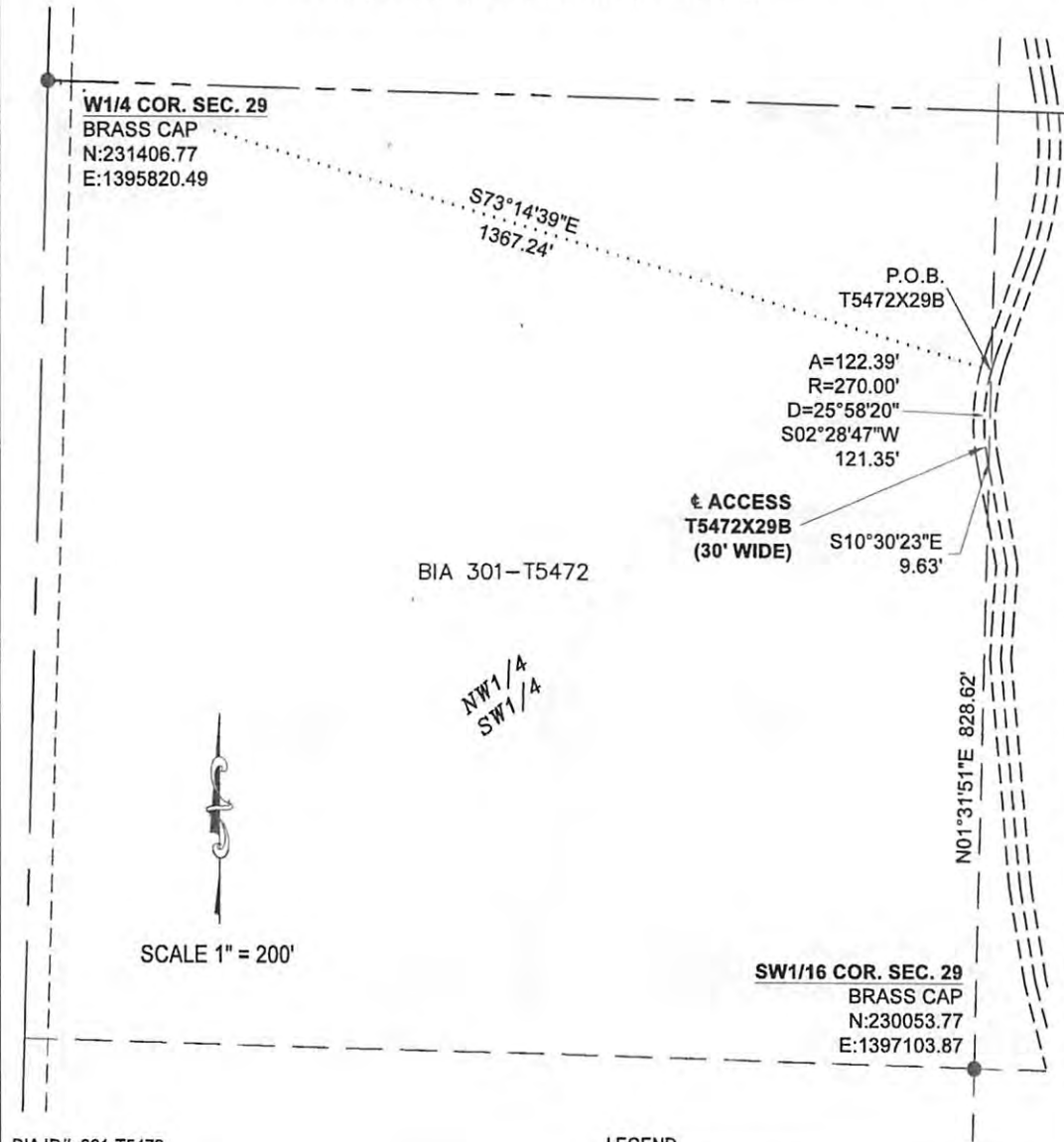
[Handwritten Signature]

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5472

PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) IN SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5472

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

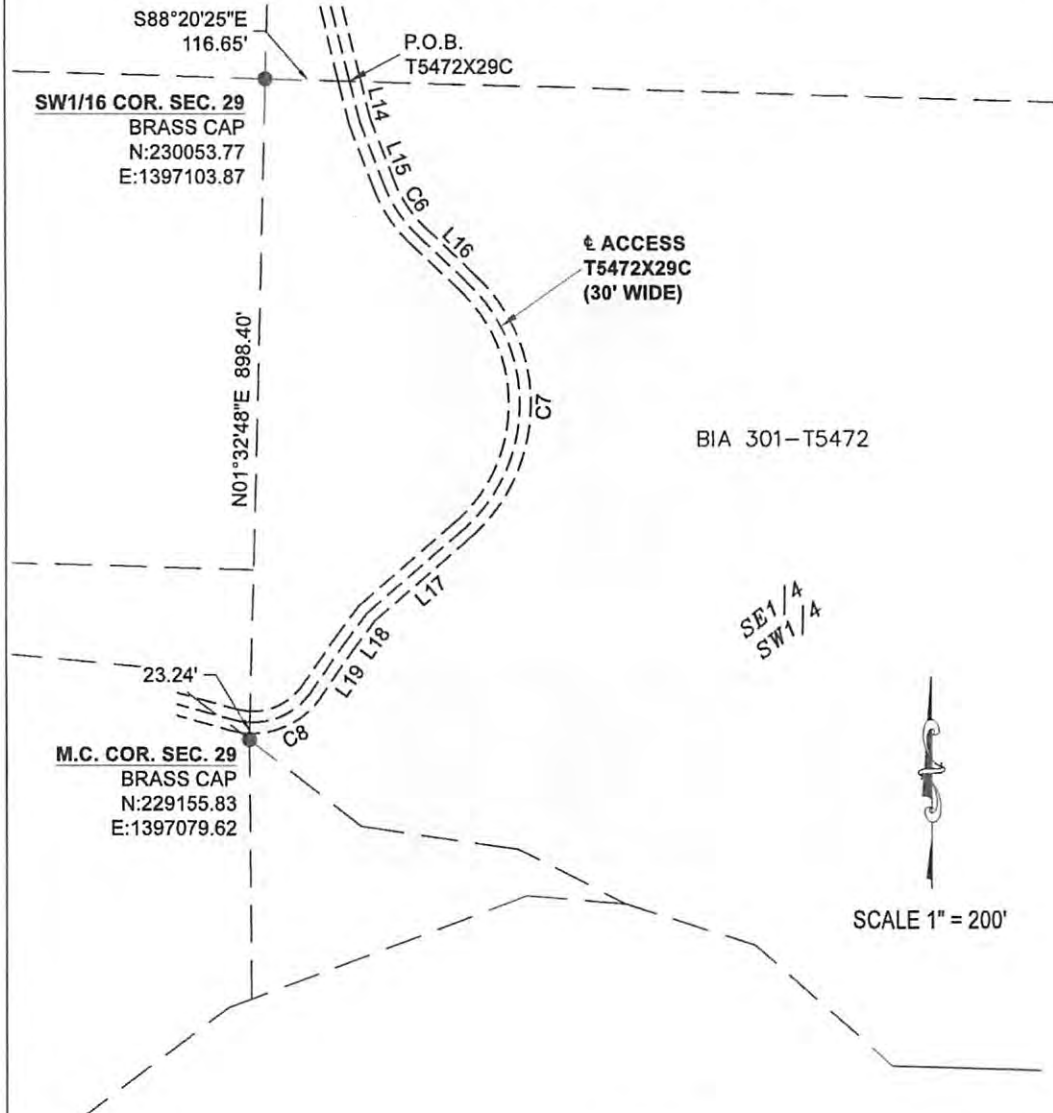
I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

(Signature)
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5472

PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) IN SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5472

LEGEND

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- ▲ CALCULATED CORNER

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(Signature)
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EXHIBIT A - BIA ID# 301-T5472

PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) IN SECTION 29, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	S16°33'08"E	1.59'
L2	S11°18'32"E	200.37'
L3	S03°47'10"E	93.21'
L4	S01°06'02"W	283.50'
L5	S48°23'33"E	289.96'
L6	S74°05'30"E	142.98'
L7	S46°26'30"E	71.13'
L8	S38°13'49"E	207.62'
L9	S41°26'41"E	129.47'
L10	S45°11'25"E	192.93'
L11	S17°43'43"W	98.97'
L12	S17°19'01"E	211.86'
L13	S13°42'49"E	79.64'
L14	S14°00'58"E	56.10'
L15	S21°13'22"E	92.48'
L16	S46°37'34"E	95.61'
L17	S48°54'12"W	177.25'
L18	S36°45'27"W	50.84'
L19	S35°18'34"W	79.91'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	173.61'	200.00'	49°44'11"	S23°46'04"E	168.21'
C2	148.02'	330.00'	25°41'57"	S61°14'32"E	146.78'
C3	135.12'	280.00'	27°39'01"	S60°16'00"E	133.82'
C4	301.99'	275.00'	62°55'08"	S13°43'51"E	287.04'
C5	183.50'	300.00'	35°02'44"	S00°12'21"W	180.65'
C6	81.98'	184.90'	25°24'12"	S33°55'28"E	81.31'
C7	375.14'	225.00'	95°31'46"	S01°08'19"W	333.18'
C8	99.21'	100.00'	56°50'29"	S63°43'49"W	95.19'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

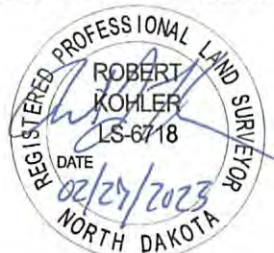
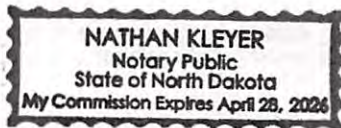


EXHIBIT A - BIA ID# 301-T5473

PART OF GOVERNMENT LOTS 4 AND 5, THE EAST HALF OF THE NORTHEAST QUARTER (E1/2NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) IN SECTION 30, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ON THIS 27th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



Nathan Kleyer
 NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
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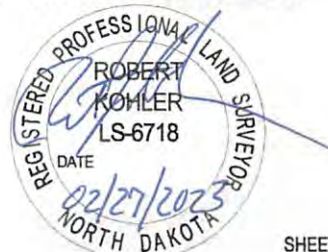


EXHIBIT A - BIA ID# 301-T5473 DESCRIPTIONS

PART OF GOVERNMENT LOTS 4 AND 5, THE EAST HALF OF THE NORTHEAST QUARTER (E1/2NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) IN SECTION 30, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5473X30A DESCRIPTION (SEE PAGE 4 OF 6):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 4 OF SECTION 30, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4; THENCE N01°35'40"E ALONG THE WEST LINE OF SAID GOVERNMENT LOT 4 A DISTANCE OF 503.95 FEET TO THE POINT OF BEGINNING; THENCE S49°05'50"E A DISTANCE OF 38.04 FEET; THENCE S54°07'03"E A DISTANCE OF 130.47 FEET; THENCE S59°26'29"E A DISTANCE OF 77.52 FEET; THENCE S66°29'22"E A DISTANCE OF 77.15 FEET; THENCE S73°34'46"E A DISTANCE OF 130.65 FEET; THENCE S69°54'07"E A DISTANCE OF 52.70 FEET; THENCE S62°52'56"E A DISTANCE OF 127.16 FEET; THENCE S67°43'02"E A DISTANCE OF 54.81 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 82.83 FEET, A RADIUS OF 120.00 FEET, A DELTA ANGLE OF 39°32'49", A CHORD BEARING OF S47°56'37"E, AND A CHORD LENGTH OF 81.19 FEET; THENCE S28°10'13"E A DISTANCE OF 44.67 FEET; THENCE S42°45'39"E A DISTANCE OF 51.39 FEET; THENCE S61°10'59"E A DISTANCE OF 198.81 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID GOVERNMENT LOT 4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N88°11'21"W A DISTANCE OF 1849.88 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 30.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1066.20 FEET (64.62 RODS) IN LENGTH. SAID STRIP CONTAINS 0.74 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5473X30B DESCRIPTION (SEE PAGE 5 OF 6):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THENCE S88°11'21"E ALONG THE SOUTH LINE OF SAID SECTION 30 A DISTANCE OF 3082.03 FEET TO THE POINT OF BEGINNING; THENCE N83°43'25"E A DISTANCE OF 24.12 FEET; THENCE N78°42'18"E A DISTANCE OF 131.81 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 129.69 FEET, A RADIUS OF 250.00 FEET, A DELTA ANGLE OF 29°43'18", A CHORD BEARING OF S86°26'03"E, AND A CHORD LENGTH OF 128.24 FEET; THENCE S71°34'24"E A DISTANCE OF 74.86 FEET; THENCE S80°54'12"E A DISTANCE OF 62.67 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID SW1/4SE1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N88°11'21"W A DISTANCE OF 589.80 FEET SOUTHEAST CORNER OF SAID SW1/4SE1/4.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 423.15 FEET (25.65 RODS) IN LENGTH. SAID STRIP CONTAINS 0.29 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

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ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5473 DESCRIPTIONS

PART OF GOVERNMENT LOTS 4 AND 5, THE EAST HALF OF THE NORTHEAST QUARTER (E1/2NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) IN SECTION 30, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5473X30C DESCRIPTION (SEE PAGE 5 OF 6):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 5 AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 30, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THENCE S88°11'21"E ALONG THE SOUTH LINE OF SAID SECTION 30 A DISTANCE OF 3670.01 FEET TO THE POINT OF BEGINNING; THENCE N81°52'39"E A DISTANCE OF 69.66 FEET; THENCE N88°26'24"E A DISTANCE OF 134.55 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 235.37 FEET, A RADIUS OF 500.00 FEET, A DELTA ANGLE OF 26°58'18", A CHORD BEARING OF N74°57'15"E, AND A CHORD LENGTH OF 233.20 FEET; THENCE N61°28'07"E A DISTANCE OF 168.29 FEET; THENCE N63°13'37"E A DISTANCE OF 155.30 FEET; THENCE N66°11'49"E A DISTANCE OF 156.03 FEET; THENCE N69°03'12"E A DISTANCE OF 129.85 FEET; THENCE N71°34'51"E A DISTANCE OF 205.00 FEET; THENCE N74°11'05"E A DISTANCE OF 182.18 FEET; THENCE N78°49'02"E A DISTANCE OF 279.33 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 129.21 FEET, A RADIUS OF 325.00 FEET, A DELTA ANGLE OF 22°46'42", A CHORD BEARING OF S89°47'37"E, AND A CHORD LENGTH OF 128.36 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION 30 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°29'58"W A DISTANCE OF 2073.98 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 30.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1844.77 FEET (111.80 RODS) IN LENGTH. SAID STRIP CONTAINS 1.27 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

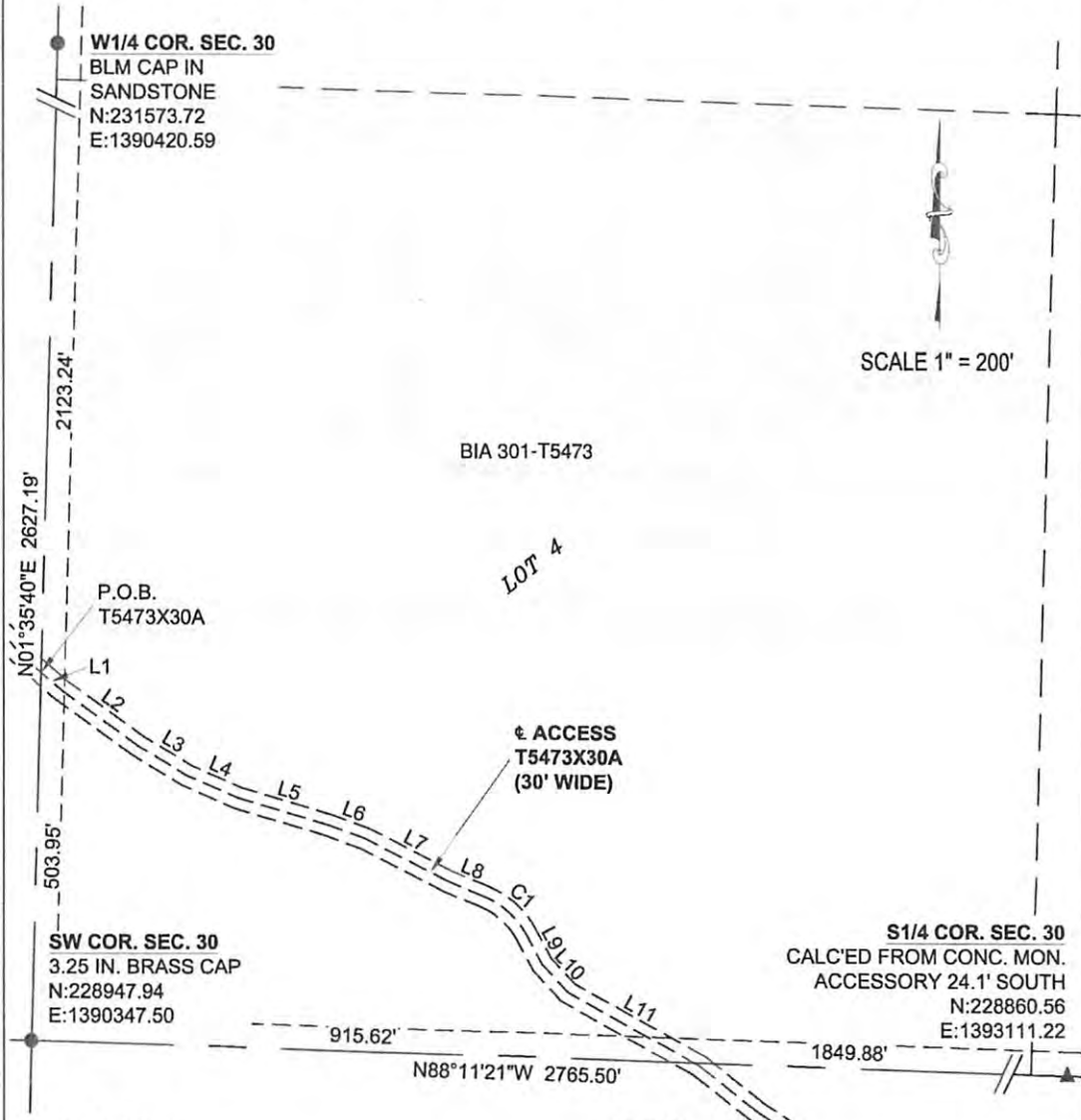


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5473

PART OF GOVERNMENT LOTS 4 AND 5, THE EAST HALF OF THE NORTHEAST QUARTER (E1/2NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) IN SECTION 30, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



SCALE 1" = 200'

BIA ID#: 301-T5473

- LEGEND**
- FOUND MONUMENT
 - ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

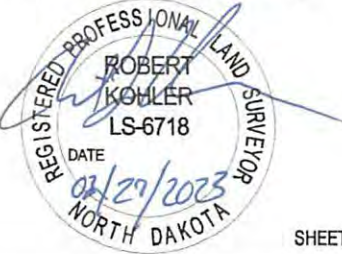
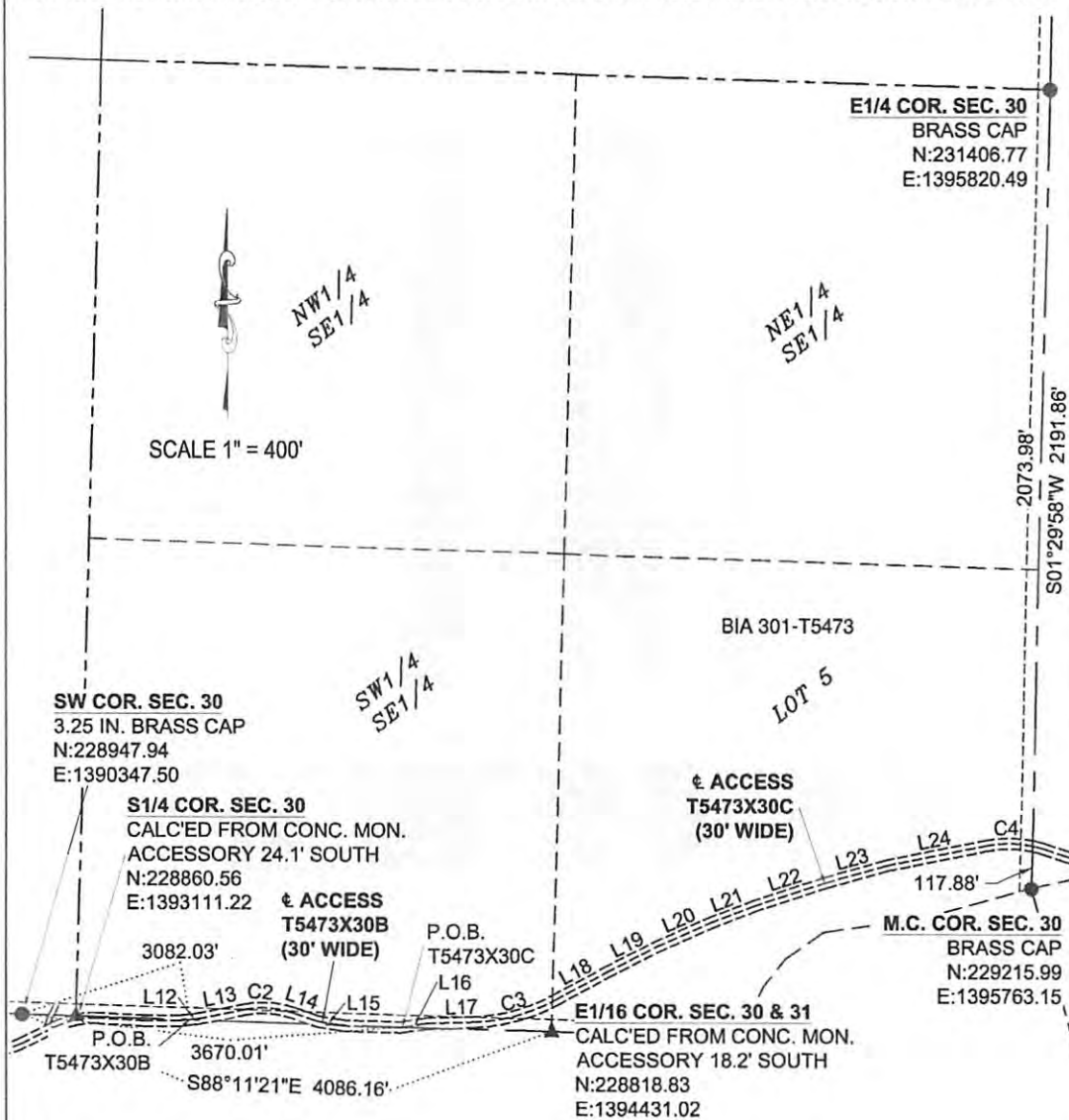


EXHIBIT A - BIA ID# 301-T5473

PART OF GOVERNMENT LOTS 4 AND 5, THE EAST HALF OF THE NORTHEAST QUARTER (E1/2NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) IN SECTION 30, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5473

- LEGEND**
- FOUND MONUMENT
 - ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

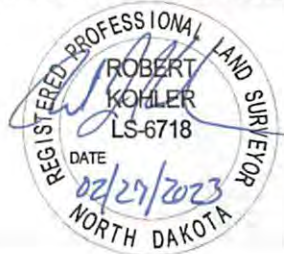


EXHIBIT A - BIA ID# 301-T5473 LINE/CURVE TABLES

PART OF GOVERNMENT LOTS 4 AND 5, THE EAST HALF OF THE NORTHEAST QUARTER (E1/2NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) IN SECTION 30, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	S49°05'50"E	38.04'
L2	S54°07'03"E	130.47'
L3	S59°26'29"E	77.52'
L4	S66°29'22"E	77.15'
L5	S73°34'46"E	130.65'
L6	S69°54'07"E	52.70'
L7	S62°52'56"E	127.16'
L8	S67°43'02"E	54.81'
L9	S28°10'13"E	44.67'
L10	S42°45'39"E	51.39'
L11	S61°10'59"E	198.81'
L12	N83°43'25"E	24.12'
L13	N78°42'18"E	131.81'
L14	S71°34'24"E	74.86'
L15	S80°54'12"E	62.67'
L16	N81°52'39"E	69.66'
L17	N88°26'24"E	134.55'
L18	N61°28'07"E	168.29'
L19	N63°13'37"E	155.30'
L20	N66°11'49"E	156.03'
L21	N69°03'12"E	129.85'
L22	N71°34'51"E	205.00'
L23	N74°11'05"E	182.18'
L24	N78°49'02"E	279.33'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	82.83'	120.00'	39°32'49"	S47°56'37"E	81.19'
C2	129.69'	250.00'	29°43'18"	S86°26'03"E	128.24'
C3	235.37'	500.00'	26°58'18"	N74°57'15"E	233.20'
C4	129.21'	325.00'	22°46'42"	S89°47'37"E	128.36'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

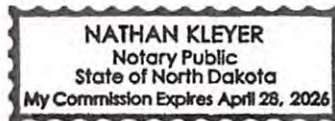


EXHIBIT A - BIA ID# 301-T5474

PART OF GOVERNMENT LOT 3 AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) IN SECTION 31,
TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ON THIS 27th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



Nathan Kleyer
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

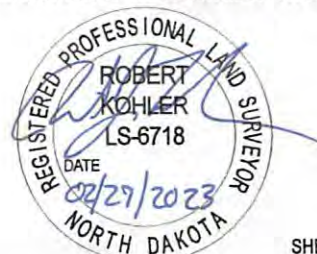


EXHIBIT A - BIA ID# 301-T5474 DESCRIPTION

PART OF GOVERNMENT LOT 3 AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) IN SECTION 31, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5474X31A DESCRIPTION (SEE PAGE 3 OF 4):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 3 AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 31, TOWNSHIP 148 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE S88°11'21"E ALONG THE NORTH LINE OF SAID SECTION 31 A DISTANCE OF 915.62 FEET TO THE POINT OF BEGINNING; THENCE S61°10'59"E A DISTANCE OF 8.65 FEET; THENCE S51°58'06"E A DISTANCE OF 104.36 FEET; THENCE S56°24'19"E A DISTANCE OF 51.17 FEET; THENCE S64°46'18"E A DISTANCE OF 51.83 FEET; THENCE S78°36'37"E A DISTANCE OF 52.18 FEET; THENCE S76°40'28"E A DISTANCE OF 78.41 FEET; THENCE S69°21'36"E A DISTANCE OF 76.16 FEET; THENCE S72°34'17"E A DISTANCE OF 51.68 FEET; THENCE S80°44'05"E A DISTANCE OF 105.24 FEET; THENCE S83°02'10"E A DISTANCE OF 156.37 FEET; THENCE N89°38'56"E A DISTANCE OF 388.96 FEET; THENCE N86°46'14"E A DISTANCE OF 365.91 FEET; THENCE N82°53'57"E A DISTANCE OF 77.69 FEET; THENCE N75°57'17"E A DISTANCE OF 78.91 FEET; THENCE N69°38'32"E A DISTANCE OF 103.37 FEET; THENCE N64°08'01"E A DISTANCE OF 112.26 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 59.70 FEET, A RADIUS OF 240.00 FEET, A DELTA ANGLE OF 14°15'07", A CHORD BEARING OF N71°15'34"E, AND A CHORD LENGTH OF 59.54 FEET, MORE OR LESS, TO THE EAST LINE OF SAID NE1/4NW1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°37'57"W A DISTANCE OF 11.21 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 31.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1922.85 FEET (116.54 RODS) IN LENGTH. SAID STRIP CONTAINS 1.32 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

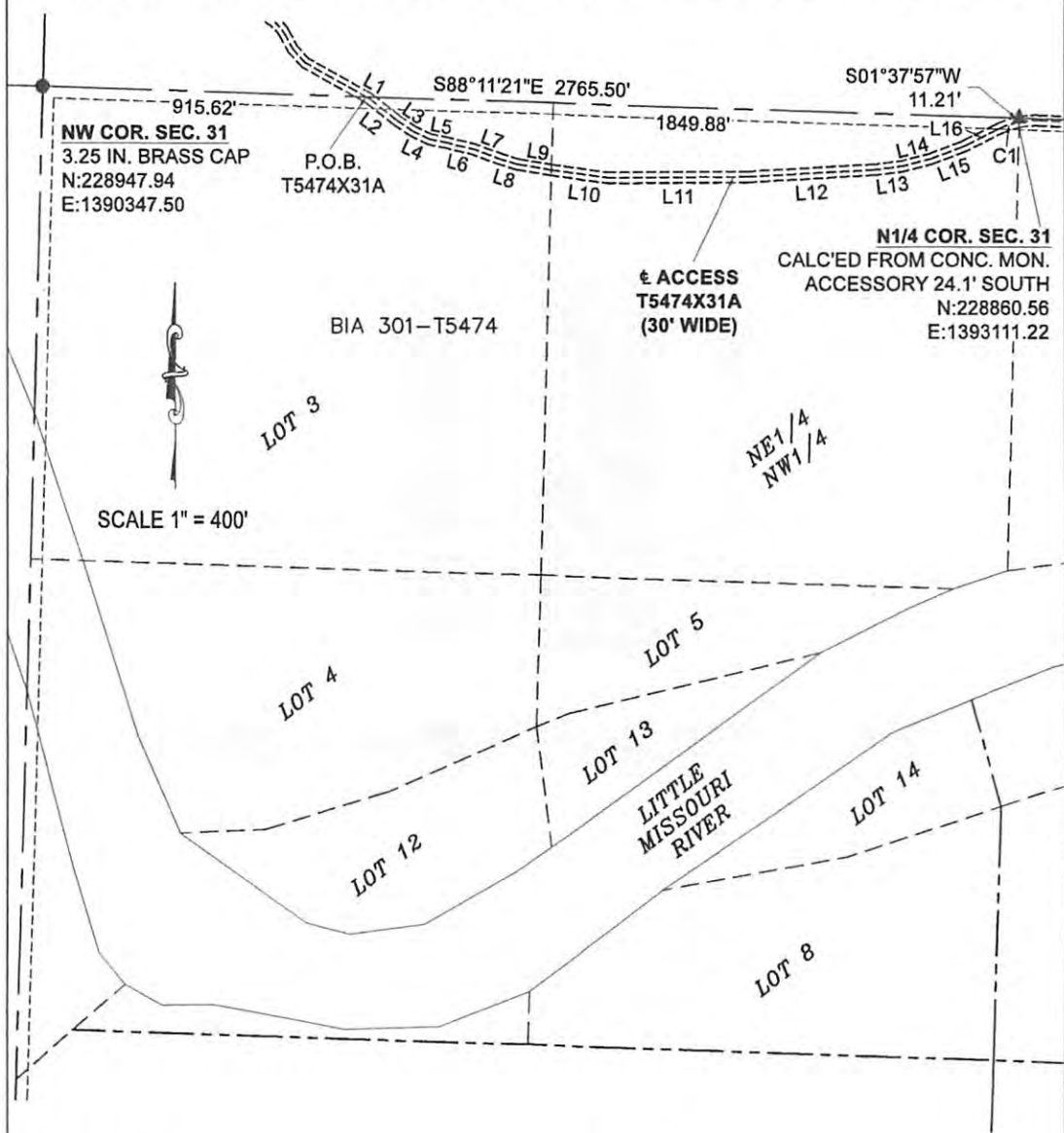


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5474

PART OF GOVERNMENT LOT 3 AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) IN SECTION 31, TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5474

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5474 LINE/CURVE TABLES

PART OF GOVERNMENT LOT 3 AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) IN SECTION 31,
TOWNSHIP 148 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	S61°10'59"E	8.65'
L2	S51°58'06"E	104.36'
L3	S56°24'19"E	51.17'
L4	S64°46'18"E	51.83'
L5	S78°36'37"E	52.18'
L6	S76°40'28"E	78.41'
L7	S69°21'36"E	76.16'
L8	S72°34'17"E	51.68'
L9	S80°44'05"E	105.24'
L10	S83°02'10"E	156.37'
L11	N89°38'56"E	388.96'
L12	N86°46'14"E	365.91'
L13	N82°53'57"E	77.69'
L14	N75°57'17"E	78.91'
L15	N69°38'32"E	103.37'
L16	N64°08'01"E	112.26'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	59.70'	240.00'	14°15'07"	N71°15'34"E	59.54'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5477 DESCRIPTION

LOT 1, LOT 2, LOT 3, THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) AND THE SOUTH HALF (S1/2) IN SECTION
1 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION,
DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

TRANSMISSION LINE DESCRIPTION - BIA ID# 301-T5477 (SEE PAGE 2 OF 7):

A STRIP OF LAND OF VARYING WIDTH LOCATED IN PART OF THE SOUTH HALF (S1/2), THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) AND LOT 1, ALL IN SECTION 1, TOWNSHIP 148 NORTH, RANGE 96 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

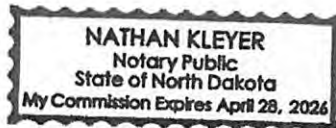
COMMENCING AT THE 2 INCH ALUMINUM CAP MARKED LS-2999 AT THE SOUTHEAST CORNER OF SAID SECTION 1; THENCE N01°32'34"E ALONG THE EAST LINE OF SAID SECTION 1 A DISTANCE OF 2175.27 FEET TO THE POINT OF BEGINNING; THENCE N16°34'22"W ALONG THE STRIP CENTERLINE, SAID STRIP BEING 350.00 FEET WIDE, WITH THE SIDE LINES LYING 175.00 FEET ON EACH SIDE A DISTANCE OF 500.31 FEET; THENCE N16°34'22"W ALONG SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 896.30 FEET; THENCE N48°17'09"E ALONG SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 596.26 FEET TO THE EAST LINE OF SAID SECTION 1 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°32'34"W A DISTANCE OF 817.89 FEET FROM THE FOUND STONE AT THE NORTHEAST CORNER OF SAID SECTION 1.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1992.87 FEET (120.78 RODS) IN LENGTH. SAID STRIP CONTAINS 9.16 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



Nathan Kleyer
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

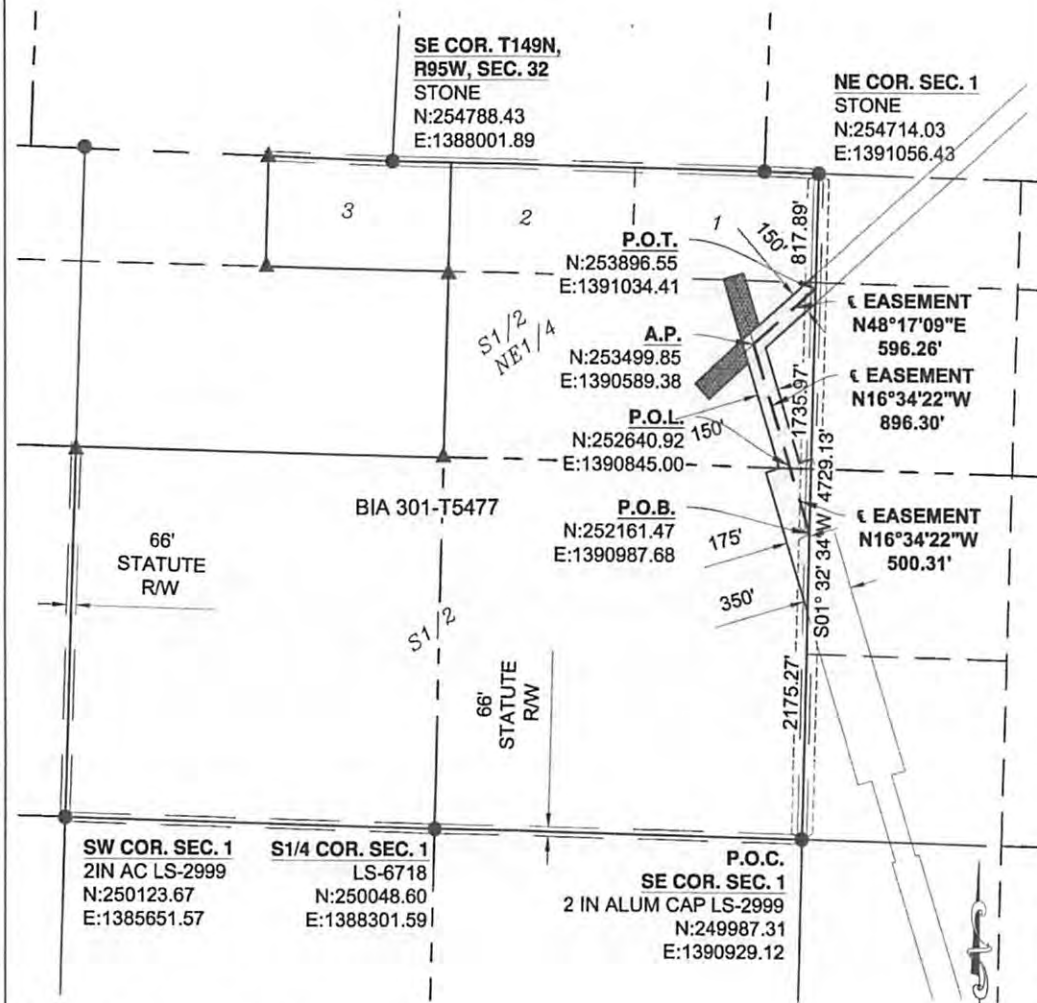
Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5477

LOT 1, LOT 2, LOT 3, THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) AND THE SOUTH HALF (S1/2) IN SECTION
1 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION
DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5477
BEPC: 366-301-T5477

LEGEND

- FOUND MONUMENT (AS NOTED)
- ▲ CALCULATED CORNER

SCALE 1" = 1000'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

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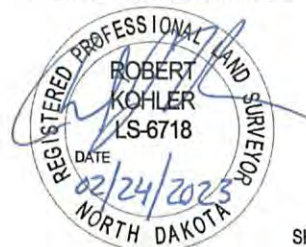
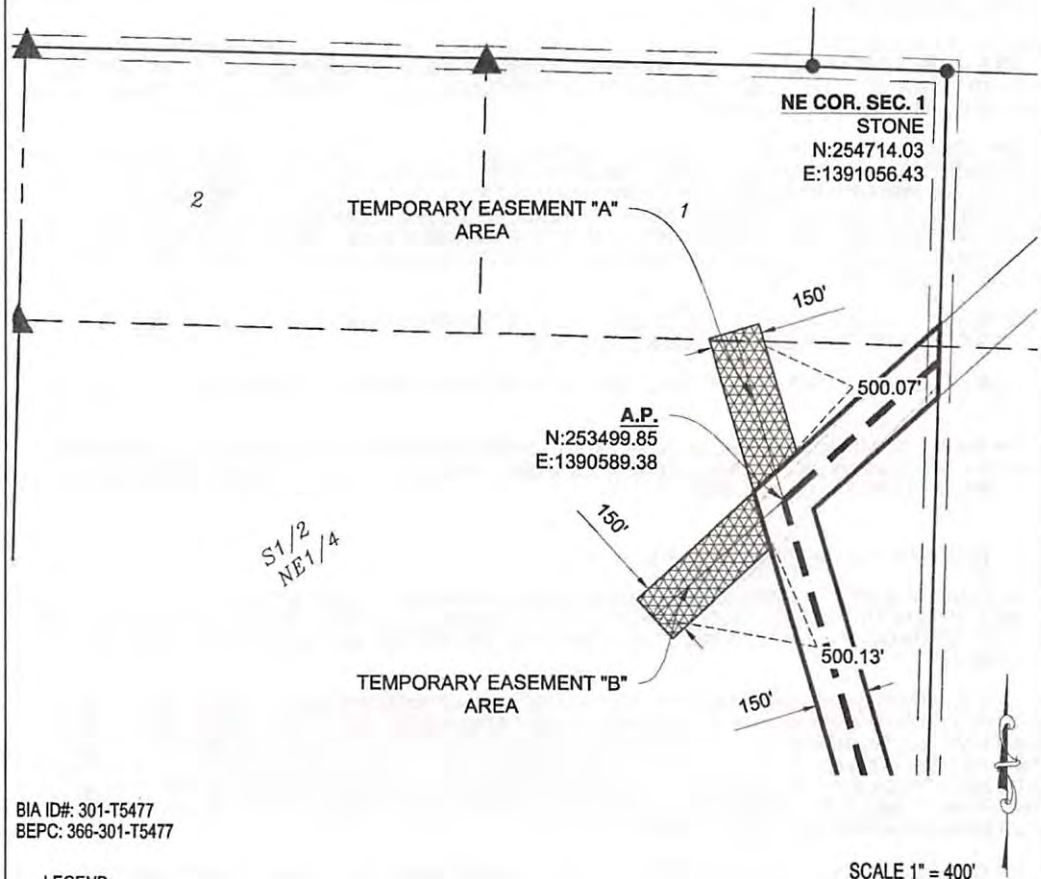


EXHIBIT B - BIA ID# 301-T5477 TEMPORARY EASEMENTS

LOT 1, LOT 2, LOT 3, THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) AND THE SOUTH HALF (S1/2) IN SECTION
1 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION,
DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5477
BEPC: 366-301-T5477

LEGEND

- FOUND MONUMENT (AS NOTED)
- ▲ CALCULATED CORNER

SCALE 1" = 400'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

(Signature)
ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

REGISTERED PROFESSIONAL LAND SURVEYOR
 ROBERT KOHLER
 LS-6718
 DATE 02/24/2023
 NORTH DAKOTA

EXHIBIT C - BIA ID# 301-T5477 DESCRIPTIONS

PART OF LOT 1, LOT 2, LOT 3, THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) AND THE SOUTH HALF (S1/2) IN SECTION 1, TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5477X1A DESCRIPTION (SEE PAGE 6 OF 7):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 1 AND THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) OF SECTION 1, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 33 (SC), T149N, R95W, 5TH P.M.; THENCE N88°39'53"W ALONG THE NORTH LINE OF SAID SECTION 1 A DISTANCE OF 37.11 FEET TO THE POINT OF BEGINNING; THENCE S12°45'40"E A DISTANCE OF 20.86 FEET; THENCE S15°53'48"E A DISTANCE OF 313.29 FEET; THENCE S17°24'02"E A DISTANCE OF 313.17 FEET; THENCE S16°57'30"E A DISTANCE OF 100.76 FEET; THENCE S20°27'25"E A DISTANCE OF 146.08 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S10°48'54"W A DISTANCE OF 855.83 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 1 (CC).

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 894.16 FEET (54.19 RODS) IN LENGTH. SAID STRIP CONTAINS 0.62 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5477X1B DESCRIPTION (SEE PAGE 6 OF 7):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) OF SECTION 1, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 1 (CC); THENCE S01°32'34"W ALONG THE EAST LINE OF SAID SECTION 1 A DISTANCE OF 1305.49 FEET TO THE POINT OF BEGINNING; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 50.43 FEET, A RADIUS OF 130.00 FEET, A DELTA ANGLE OF 22°13'34", A CHORD BEARING OF N25°30'57"W, AND A CHORD LENGTH OF 50.11 FEET; THENCE N14°24'10"W A DISTANCE OF 205.09 FEET; THENCE N13°08'52"W A DISTANCE OF 56.65 FEET, MORE OR LESS, TO THE SOUTHEASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S06°50'17"W A DISTANCE OF 1013.19 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 1 (CC).

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 312.17 FEET (18.92 RODS) IN LENGTH. SAID STRIP CONTAINS 0.21 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5477 DESCRIPTIONS

PART OF LOT 1, LOT 2, LOT 3, THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) AND THE SOUTH HALF (S1/2) IN SECTION 1, TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5477X1C DESCRIPTION (SEE PAGE 6 OF 7):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) OF SECTION 1, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 1 (CC); THENCE S01°32'34"W ALONG THE EAST LINE OF SAID SECTION 1 A DISTANCE OF 1922.15 FEET TO THE POINT OF BEGINNING; THENCE S37°35'14"W A DISTANCE OF 42.43 FEET; THENCE S30°22'11"W A DISTANCE OF 42.34 FEET; THENCE S37°39'52"W A DISTANCE OF 35.21 FEET; THENCE S48°04'48"W A DISTANCE OF 30.43 FEET, MORE OR LESS, TO THE NORTHEASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N00°20'18"W A DISTANCE OF 2687.65 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 1.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 150.41 FEET (9.12 RODS) IN LENGTH. SAID STRIP CONTAINS 0.10 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

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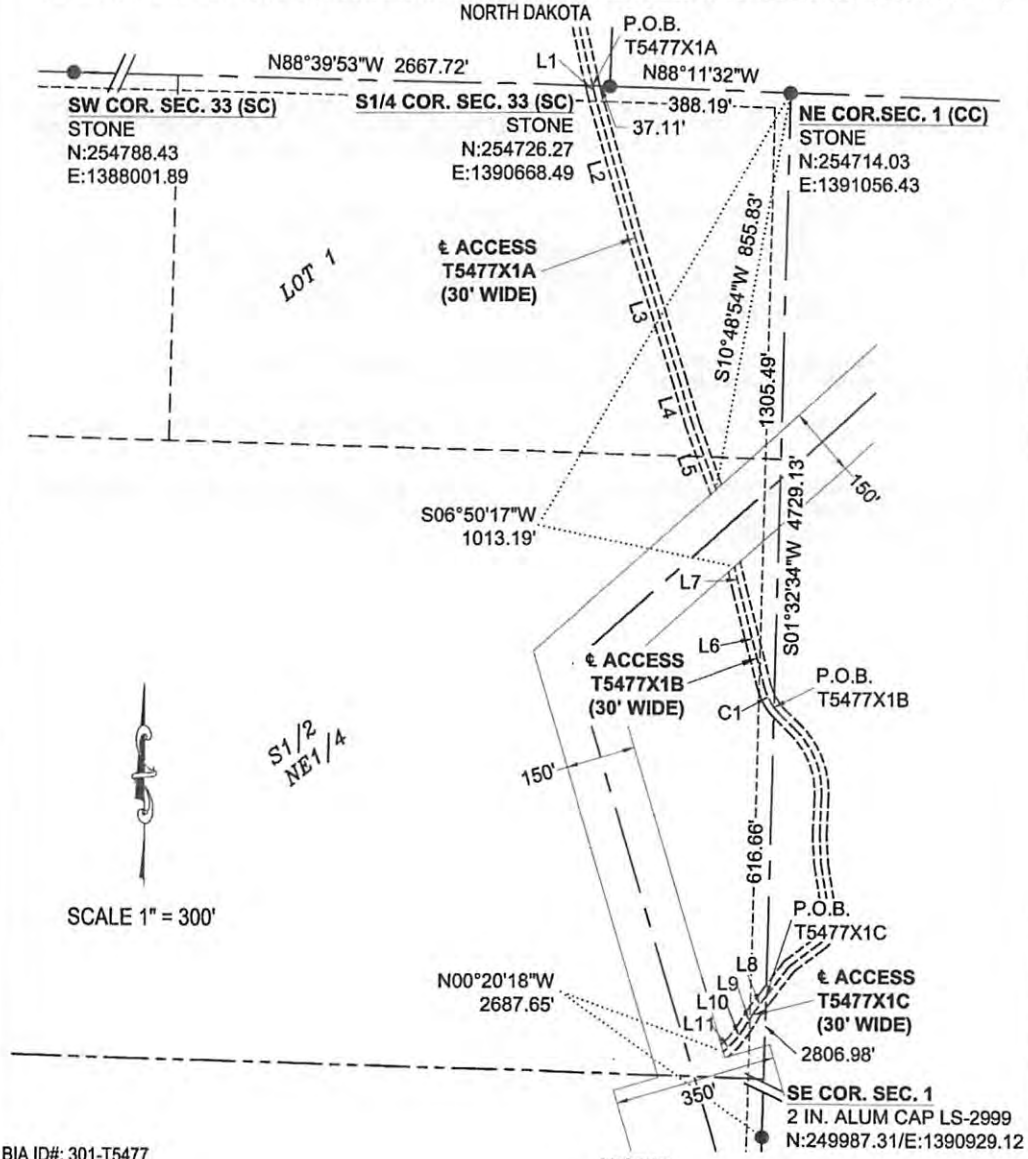


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5477

PART OF LOT 1, LOT 2, LOT 3, THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) AND THE SOUTH HALF (S1/2) IN SECTION 1, TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



SCALE 1" = 300'

BIA ID#: 301-T5477

- LEGEND**
- FOUND MONUMENT
 - ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5477 LINE/CURVE TABLES

PART OF LOT 1, LOT 2, LOT 3, THE SOUTH HALF OF THE NORTHEAST QUARTER (S1/2NE1/4) AND THE SOUTH HALF (S1/2) IN SECTION 1, TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	S12°45'40"E	20.86'
L2	S15°53'48"E	313.29'
L3	S17°24'02"E	313.17'
L4	S16°57'30"E	100.76'
L5	S20°27'25"E	146.08'
L6	N14°24'10"W	205.09'
L7	N13°08'52"W	56.65'
L8	S37°35'14"W	42.43'
L9	S30°22'11"W	42.34'
L10	S37°39'52"W	35.21'
L11	S48°04'48"W	30.43'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	50.43'	130.00'	22°13'34"	N25°30'57"W	50.11'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5479 DESCRIPTION

THE NORTHWEST QUARTER (NW1/4), THE NORTHEAST QUARTER (NE1/4), THE SOUTHEAST QUARTER (SE1/4) AND THE SOUTHWEST QUARTER (SW1/4) IN SECTION 12
TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

TRANSMISSION LINE DESCRIPTION - BIA ID# 301-T5479 (SEE SH. 2 OF 5):

A 150.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE1/4) IN SECTION 12, TOWNSHIP 148 NORTH, RANGE 96 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. SAID STRIP HAVING 75.00 FEET LYING ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

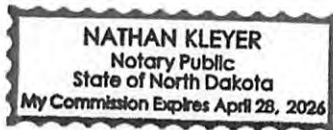
COMMENCING AT THE ALUMINUM CAP AT THE SOUTHEAST CORNER OF SAID SE1/4; THENCE N88°33'34"W ALONG THE SOUTH LINE OF SAID SE1/4 A DISTANCE OF 961.64 FEET TO THE POINT OF BEGINNING; THENCE N54°53'42"E A DISTANCE OF 234.79 FEET; THENCE N62°44'01"E A DISTANCE OF 882.47 FEET TO THE EAST LINE OF SAID SE1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°32'28"W A DISTANCE OF 2067.94 FEET FROM THE 5/8 INCH REBAR WITH ALUMINUM CAP AT THE NORTHEAST CORNER OF SAID SE1/4.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1117.26 FEET (67.71 RODS) IN LENGTH. SAID STRIP CONTAINS 3.85 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



[Signature]
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

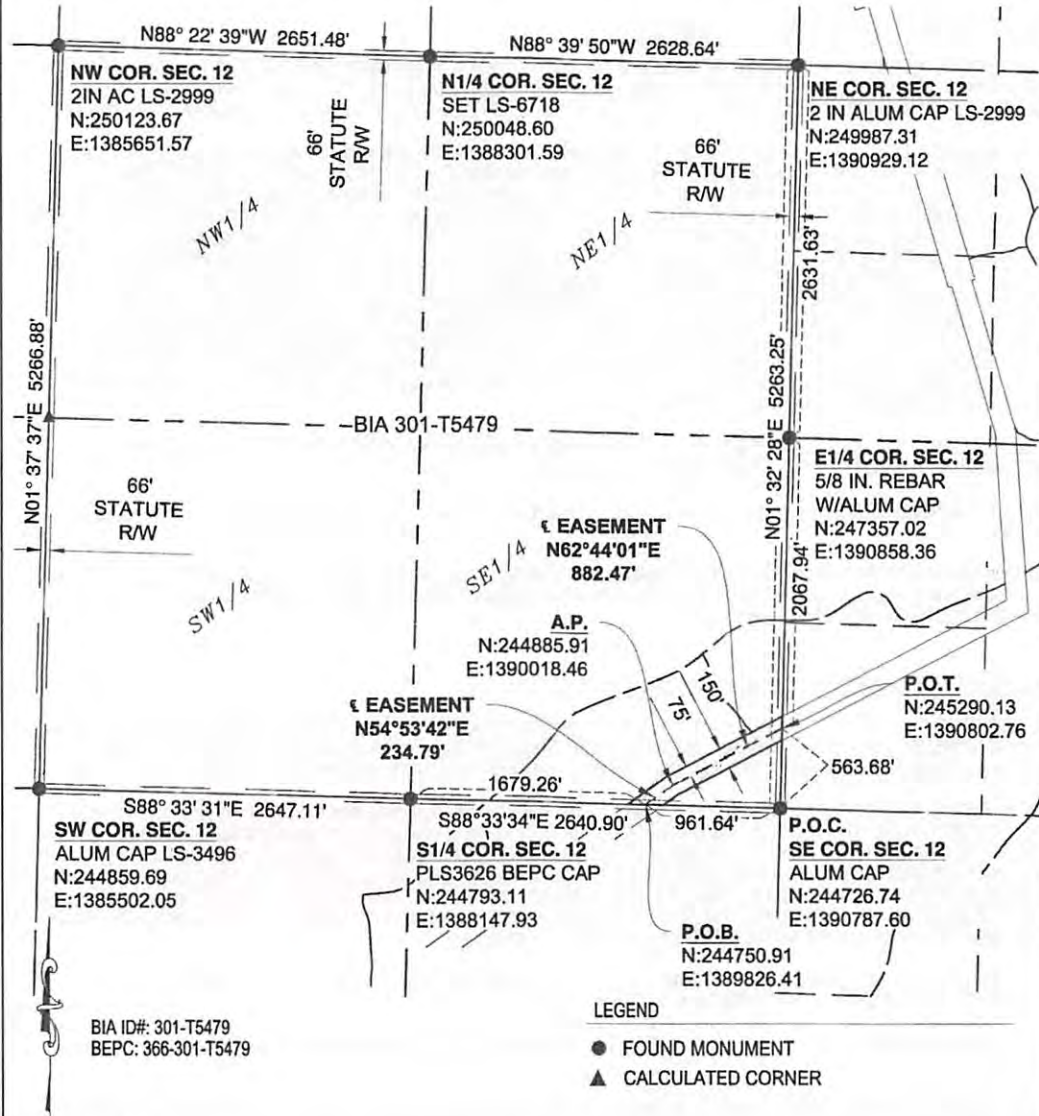
[Signature]

ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5479

THE NORTHWEST QUARTER (NW1/4), THE NORTHEAST QUARTER (NE1/4), THE SOUTHEAST QUARTER (SE1/4) AND THE
SOUTHWEST QUARTER (SW1/4) IN SECTION 12
TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

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 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

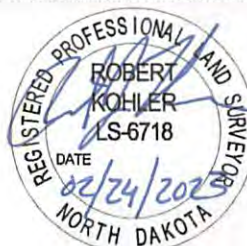


EXHIBIT B - BIA ID# 301-T5479 DESCRIPTIONS

THE NORTHWEST QUARTER (NW1/4), THE NORTHEAST QUARTER (NE1/4), THE SOUTHEAST QUARTER (SE1/4) AND THE SOUTHWEST QUARTER (SW1/4) IN SECTION 12

TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5479X12A DESCRIPTION (SEE PAGE 4 OF 5):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 12, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SE1/4; THENCE S88°33'34"E ALONG THE SOUTH LINE OF SAID SE1/4 A DISTANCE OF 562.23 FEET TO THE POINT OF BEGINNING; THENCE N50°06'17"E A DISTANCE OF 76.27 FEET; THENCE N48°27'37"E A DISTANCE OF 259.06 FEET; THENCE N44°36'30"E A DISTANCE OF 107.89 FEET; THENCE N40°38'14"E A DISTANCE OF 128.10 FEET; THENCE N36°27'04"E A DISTANCE OF 141.77 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 211.87 FEET, A RADIUS OF 400.00 FEET, A DELTA ANGLE OF 30°20'53", A CHORD BEARING OF N51°37'30"E, AND A CHORD LENGTH OF 209.40 FEET; THENCE N66°47'57"E A DISTANCE OF 134.21 FEET; THENCE N68°59'45"E A DISTANCE OF 516.11 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 251.52 FEET, A RADIUS OF 775.00 FEET, A DELTA ANGLE OF 18°35'43", A CHORD BEARING OF N59°41'54"E, AND A CHORD LENGTH OF 250.42 FEET; THENCE N50°24'03"E A DISTANCE OF 253.68 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 350.97 FEET, A RADIUS OF 500.00 FEET, A DELTA ANGLE OF 40°13'07", A CHORD BEARING OF N70°30'36"E, AND A CHORD LENGTH OF 343.81 FEET; THENCE S89°22'50"E A DISTANCE OF 112.84 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SE1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°32'28"W A DISTANCE OF 1300.73 FEET FROM THE NORTHEAST CORNER OF SAID SE1/4.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 2544.29 FEET (154.20 RODS) IN LENGTH. SAID STRIP CONTAINS 1.75 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5479X12B DESCRIPTION (SEE PAGE 4 OF 5):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 12, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID SE1/4; THENCE S22°01'02"W A DISTANCE OF 1658.73 FEET TO THE POINT OF BEGINNING; THENCE S27°04'53"E A DISTANCE OF 76.67 FEET; THENCE S20°17'13"E A DISTANCE OF 122.11 FEET; THENCE S11°53'49"E A DISTANCE OF 81.65 FEET; THENCE S34°20'55"E A DISTANCE OF 20.00 FEET; THENCE S45°12'19"E A DISTANCE OF 144.43 FEET; THENCE S39°46'27"E A DISTANCE OF 120.87 FEET; THENCE S33°23'54"E A DISTANCE OF 40.25 FEET; THENCE S43°54'24"E A DISTANCE OF 65.88 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N20°12'35"W A DISTANCE OF 573.28 FEET FROM THE SOUTHEAST CORNER OF SAID SE1/4.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 671.86 FEET (40.72 RODS) IN LENGTH. SAID STRIP CONTAINS 0.46 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

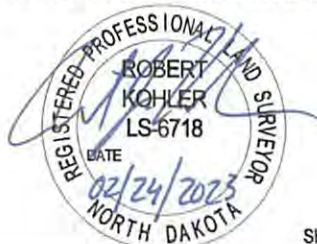
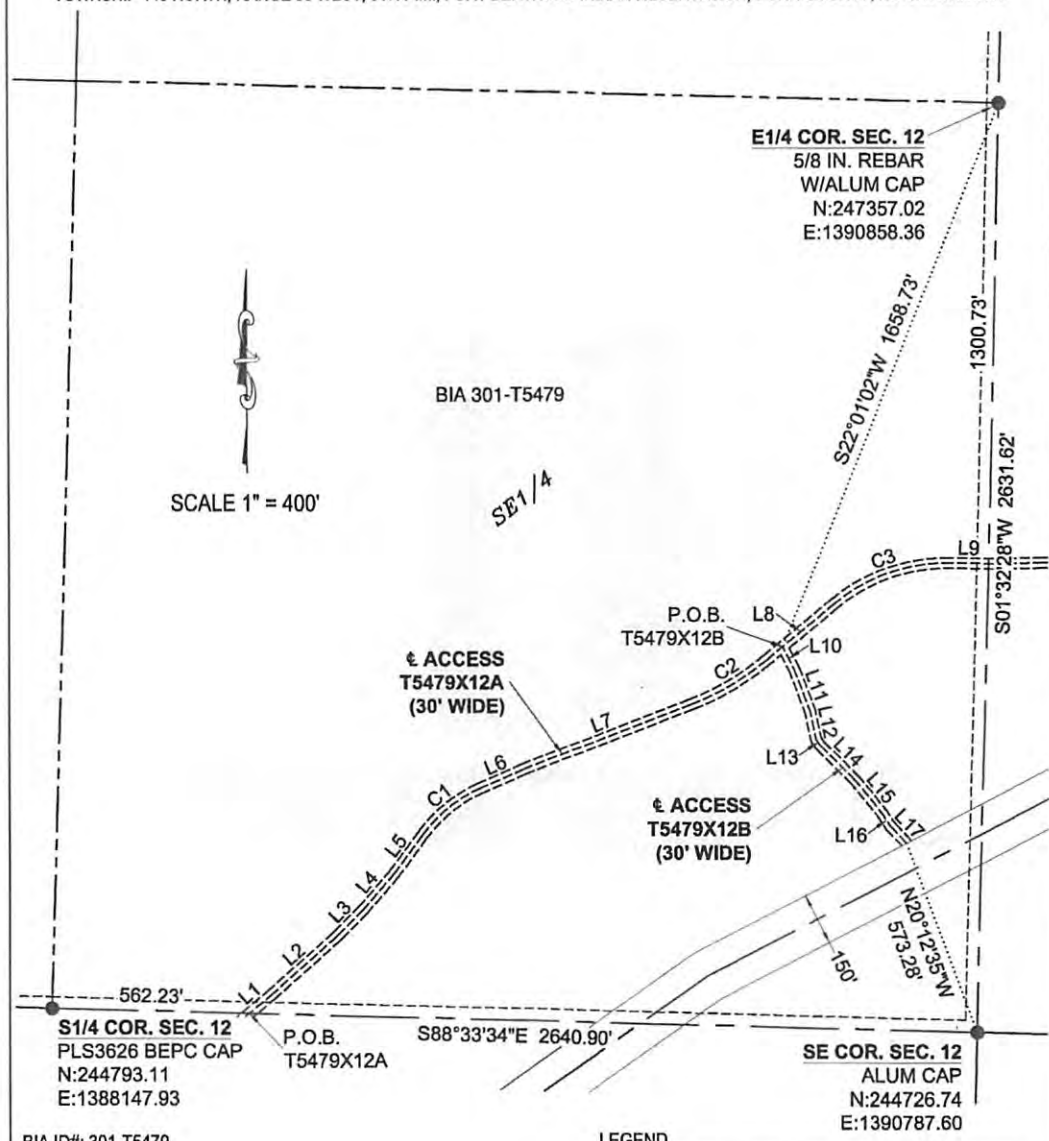


EXHIBIT B - BIA ID# 301-T5479

THE NORTHWEST QUARTER (NW1/4), THE NORTHEAST QUARTER (NE1/4), THE SOUTHEAST QUARTER (SE1/4) AND THE SOUTHWEST QUARTER (SW1/4) IN SECTION 12
TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5479

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

[Handwritten Signature]

ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT B - BIA ID# 301-T5479 LINE/CURVE TABLES

THE NORTHWEST QUARTER (NW1/4), THE NORTHEAST QUARTER (NE1/4), THE SOUTHEAST QUARTER (SE1/4) AND THE
SOUTHWEST QUARTER (SW1/4) IN SECTION 12
TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	N50°06'17"E	76.27'
L2	N48°27'37"E	259.06'
L3	N44°36'30"E	107.89'
L4	N40°38'14"E	128.10'
L5	N36°27'04"E	141.77'
L6	N66°47'57"E	134.21'
L7	N68°59'45"E	516.11'
L8	N50°24'03"E	253.68'
L9	S89°22'50"E	112.84'
L10	S27°04'53"E	76.67'
L11	S20°17'13"E	122.11'
L12	S11°53'49"E	81.65'
L13	S34°20'55"E	20.00'
L14	S45°12'19"E	144.43'
L15	S39°46'27"E	120.87'
L16	S33°23'54"E	40.25'
L17	S43°54'24"E	65.88'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	211.87'	400.00'	30°20'53"	N51°37'30"E	209.40'
C2	251.52'	775.00'	18°35'43"	N59°41'54"E	250.42'
C3	350.97'	500.00'	40°13'07"	N70°30'36"E	343.81'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5480 DESCRIPTION

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

TRANSMISSION LINE DESCRIPTION - BIA ID# 301-T5480 (SEE SH. 2 OF 11):

A 150.00 FOOT WIDE STRIP OF LAND LOCATED IN PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4), THE NORTHWEST QUARTER (NW1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), ALL IN SECTION 13, TOWNSHIP 148 NORTH, RANGE 96 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. SAID STRIP HAVING 75.00 FEET LYING ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE ALUMINUM CAP MARKED LS-2999 AT THE SOUTHWEST CORNER OF SAID SECTION 13; THENCE S88°57'24"E ALONG THE SOUTH LINE OF SAID SECTION 13 A DISTANCE OF 1256.36 FEET TO THE POINT OF BEGINNING; THENCE N11°24'11"E A DISTANCE OF 1338.18 FEET; THENCE N12°47'38"E A DISTANCE OF 2204.78 FEET; THENCE N54°53'42"E A DISTANCE OF 3008.14 FEET TO THE NORTH LINE OF SAID SECTION 13 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S88°33'34"E A DISTANCE OF 961.64 FEET FROM THE ALUMINUM CAP AT THE NORTHEAST CORNER OF SAID SECTION 13.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 6551.10 FEET (397.04 RODS) IN LENGTH. SAID STRIP CONTAINS 22.56 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NATHAN KLEYER
Notary Public
State of North Dakota
My Commission Expires April 28, 2026


NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

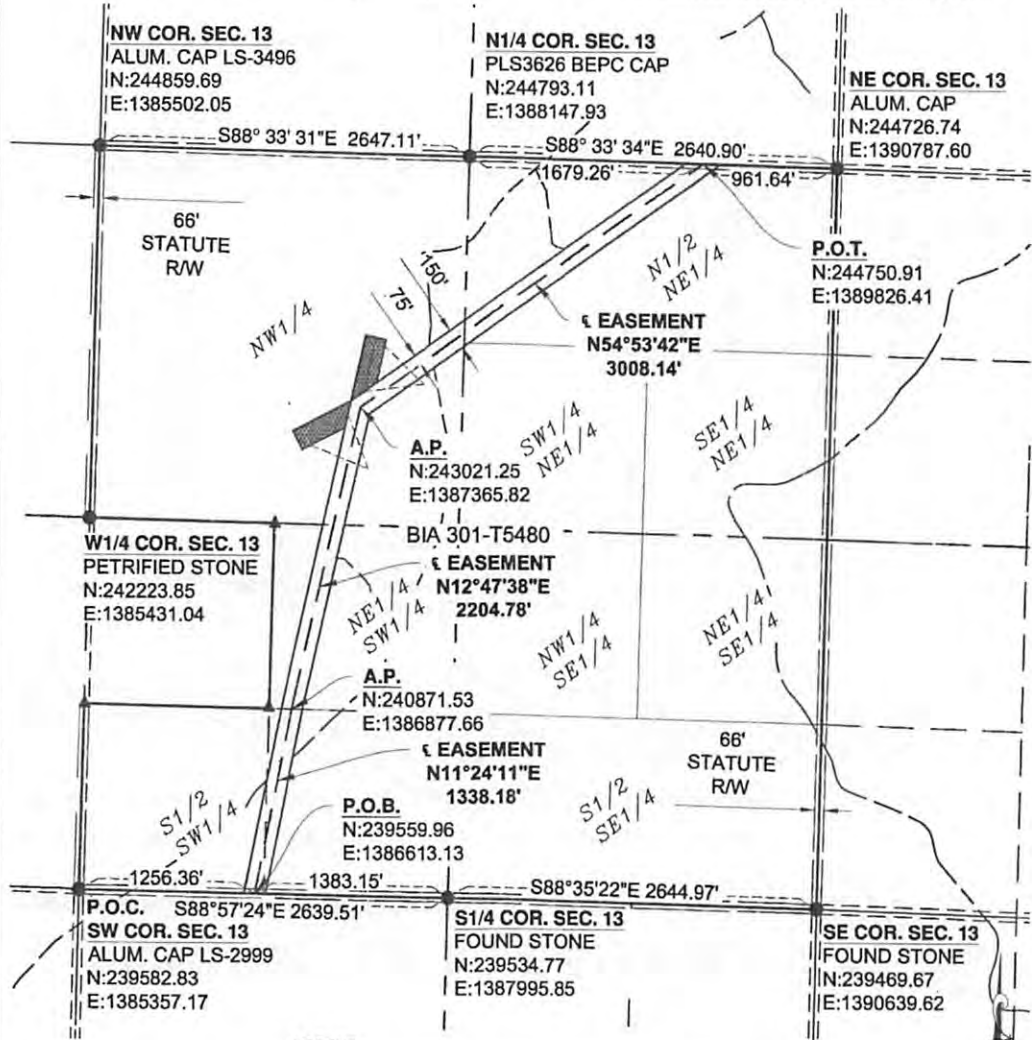


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503


REGISTERED PROFESSIONAL LAND SURVEYOR
ROBERT KOHLER
LS-6718
DATE 02/24/2023
NORTH DAKOTA

EXHIBIT A - BIA ID# 301-T5480

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



LEGEND

BIA ID#: 301-T5480
 BEPC: 366-301-T5480

- FOUND MONUMENT
- ▲ CALCULATED CORNER

SCALE 1" = 1000'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

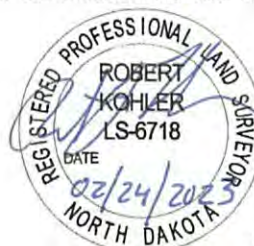
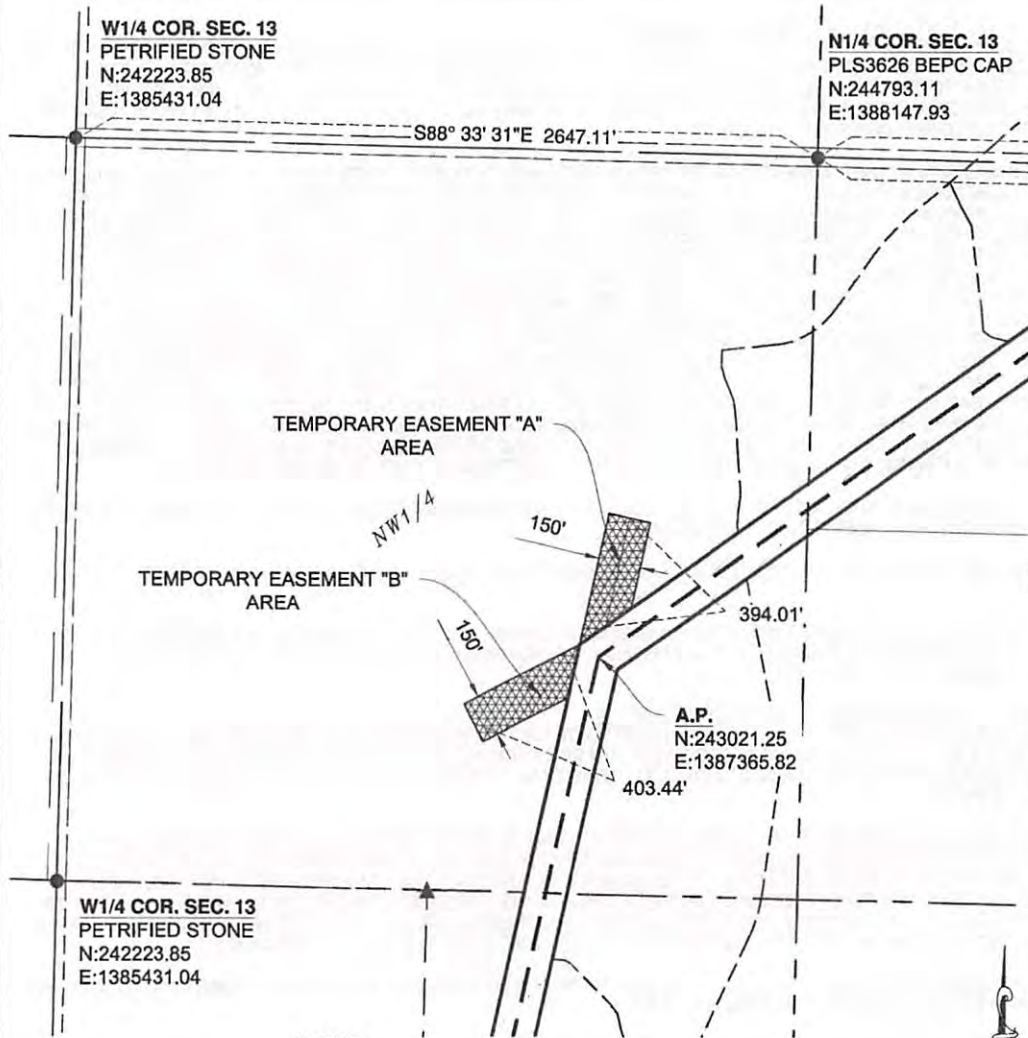


EXHIBIT B - BIA ID# 301-T5480 TEMPORARY EASEMENTS

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



LEGEND

BIA ID#: 301-T5480
BEPC: 366-301-T5480

- FOUND MONUMENT
- ▲ CALCULATED CORNER

SCALE 1" = 500'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

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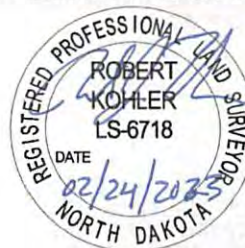


EXHIBIT C - BIA ID# 301-T5480 DESCRIPTIONS

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5480X13A DESCRIPTION (SEE PAGE 7 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 13, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE N01°36'45"E ALONG THE EAST LINE OF SAID SECTION 13 A DISTANCE OF 1197.43 FEET TO THE POINT OF BEGINNING; THENCE N28°51'50"W A DISTANCE OF 192.15 FEET; THENCE N32°58'56"W A DISTANCE OF 96.59 FEET; THENCE N41°52'39"W A DISTANCE OF 94.96 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 328.57 FEET, A RADIUS OF 440.00 FEET, A DELTA ANGLE OF 42°47'09", A CHORD BEARING OF N20°29'05"W, AND A CHORD LENGTH OF 320.99 FEET; THENCE N00°54'30"E A DISTANCE OF 216.95 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 132.89 FEET, A RADIUS OF 375.00 FEET, A DELTA ANGLE OF 20°18'17", A CHORD BEARING OF N09°14'39"W, AND A CHORD LENGTH OF 132.20 FEET; THENCE N19°23'48"W A DISTANCE OF 337.88 FEET; THENCE N27°42'12"W A DISTANCE OF 129.31 FEET; THENCE N33°25'43"W A DISTANCE OF 187.49 FEET; THENCE N25°26'56"W A DISTANCE OF 81.40 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 273.38 FEET, A RADIUS OF 135.00 FEET, A DELTA ANGLE OF 116°01'33", A CHORD BEARING OF N32°33'50"E, AND A CHORD LENGTH OF 229.01 FEET; THENCE S89°25'23"E A DISTANCE OF 170.06 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 145.83 FEET, A RADIUS OF 315.00 FEET, A DELTA ANGLE OF 26°31'29", A CHORD BEARING OF N77°18'52"E, AND A CHORD LENGTH OF 144.53 FEET; THENCE N64°03'07"E A DISTANCE OF 169.55 FEET; THENCE N58°47'20"E A DISTANCE OF 139.15 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION 13 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°36'45"W A DISTANCE OF 2061.12 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 13.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 2696.16 FEET (163.40 RODS) IN LENGTH. SAID STRIP CONTAINS 1.86 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5480X13B DESCRIPTION (SEE PAGE 8 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4) OF SECTION 13, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 13; THENCE S88°57'24"E ALONG THE SOUTH LINE OF SAID SECTION 13 A DISTANCE OF 378.04 FEET TO THE POINT OF BEGINNING; THENCE N59°59'43"E A DISTANCE OF 106.12 FEET; THENCE N55°00'38"E A DISTANCE OF 837.47 FEET; THENCE N29°41'48"E A DISTANCE OF 152.70 FEET; THENCE N37°07'16"E A DISTANCE OF 61.48 FEET; THENCE N45°25'56"E A DISTANCE OF 102.15 FEET, MORE OR LESS, TO THE WESTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N57°27'45"W A DISTANCE OF 1539.14 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 13.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1259.92 FEET (76.36 RODS) IN LENGTH. SAID STRIP CONTAINS 0.87 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5480 DESCRIPTIONS

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5480X13C DESCRIPTION (SEE PAGE 9 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE NORTHWEST QUARTER (NW1/4) OF SECTION 13, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 13; THENCE N48°13'27"W A DISTANCE OF 1490.11 FEET TO THE POINT OF BEGINNING, SAID POINT BEING LOCATED ON THE EASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT; THENCE N48°03'50"E A DISTANCE OF 88.31 FEET; THENCE N45°08'36"E A DISTANCE OF 311.04 FEET; THENCE N47°29'12"E A DISTANCE OF 465.91 FEET; THENCE N18°17'03"E A DISTANCE OF 274.63 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 165.60 FEET, A RADIUS OF 1250.00 FEET, A DELTA ANGLE OF 07°35'26", A CHORD BEARING OF N22°04'46"E, AND A CHORD LENGTH OF 165.48 FEET; THENCE N25°52'30"E A DISTANCE OF 535.74 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 176.03 FEET, A RADIUS OF 575.00 FEET, A DELTA ANGLE OF 17°32'27", A CHORD BEARING OF N17°06'16"E, AND A CHORD LENGTH OF 175.35 FEET; THENCE N08°20'02"E A DISTANCE OF 407.87 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 177.87 FEET, A RADIUS OF 475.00 FEET, A DELTA ANGLE OF 21°27'20", A CHORD BEARING OF N02°23'37"W, AND A CHORD LENGTH OF 176.84 FEET; THENCE N13°07'17"W A DISTANCE OF 119.92 FEET; THENCE N10°32'49"W A DISTANCE OF 427.29 FEET, MORE OR LESS, TO THE SOUTHEASTERLY LINE OF SAID 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S09°38'57"W A DISTANCE OF 1513.72 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 13.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 3150.21 FEET (190.92 RODS) IN LENGTH. SAID STRIP CONTAINS 2.17 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5480X13D DESCRIPTION (SEE PAGE 9 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 13, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 13; THENCE N10°10'34"W A DISTANCE OF 1991.40 FEET TO THE POINT OF BEGINNING; THENCE N80°17'37"W A DISTANCE OF 27.46 FEET; THENCE N74°57'59"W A DISTANCE OF 41.35 FEET; THENCE N58°40'08"W A DISTANCE OF 40.98 FEET; THENCE N36°34'01"W A DISTANCE OF 130.09 FEET; THENCE N18°37'37"W A DISTANCE OF 61.47 FEET; THENCE N12°26'35"W A DISTANCE OF 61.27 FEET; THENCE N35°40'32"W A DISTANCE OF 41.32 FEET; THENCE N44°31'05"W A DISTANCE OF 207.42 FEET; THENCE N60°40'53"W A DISTANCE OF 20.78 FEET; THENCE N87°58'42"W A DISTANCE OF 45.40 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S81°05'54"E A DISTANCE OF 1789.56 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 13.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 677.54 FEET (41.06 RODS) IN LENGTH. SAID STRIP CONTAINS 0.47 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5480 DESCRIPTIONS

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5480X13E DESCRIPTION (SEE PAGE 10 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) AND THE NORTHWEST QUARTER (NW1/4) OF SECTION 13, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 13; THENCE S88°33'34"E ALONG THE NORTH LINE OF SAID SECTION 13 A DISTANCE OF 562.23 FEET TO THE POINT OF BEGINNING; THENCE S50°06'17"W A DISTANCE OF 301.55 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 190.06 FEET, A RADIUS OF 775.00 FEET, A DELTA ANGLE OF 14°03'03", A CHORD BEARING OF S43°04'46"W, AND A CHORD LENGTH OF 189.58 FEET; THENCE S36°03'14"W A DISTANCE OF 241.68 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 253.08 FEET, A RADIUS OF 300.00 FEET, A DELTA ANGLE OF 48°20'08", A CHORD BEARING OF S60°13'18"W, AND A CHORD LENGTH OF 245.65 FEET; THENCE S84°23'22"W A DISTANCE OF 187.05 FEET; THENCE S01°49'26"W A DISTANCE OF 57.86 FEET; THENCE S14°11'38"E A DISTANCE OF 41.81 FEET; THENCE S21°55'17"E A DISTANCE OF 81.91 FEET; THENCE S08°29'21"E A DISTANCE OF 42.76 FEET; THENCE S03°35'30"E A DISTANCE OF 167.85 FEET; THENCE S03°53'47"E A DISTANCE OF 130.54 FEET; THENCE S07°57'33"W A DISTANCE OF 64.28 FEET; THENCE S02°59'26"W A DISTANCE OF 43.71 FEET; THENCE S04°38'04"E A DISTANCE OF 27.37 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N01°55'57"W A DISTANCE OF 3930.68 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 13.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1831.51 FEET (111.00 RODS) IN LENGTH. SAID STRIP CONTAINS 1.26 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5480X13F DESCRIPTION (SEE PAGE 10 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) OF SECTION 13, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 13; THENCE S79°25'18"E A DISTANCE OF 481.43 FEET TO THE POINT OF BEGINNING; THENCE S24°38'52"E A DISTANCE OF 89.93 FEET; THENCE S28°05'00"E A DISTANCE OF 81.87 FEET; THENCE S06°45'04"E A DISTANCE OF 310.24 FEET; THENCE S03°40'42"E A DISTANCE OF 62.25 FEET; THENCE S55°19'04"E A DISTANCE OF 38.83 FEET; THENCE S76°15'22"E A DISTANCE OF 64.00 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S73°23'30"W A DISTANCE OF 2041.37 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 13.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 647.12 FEET (39.22 RODS) IN LENGTH. SAID STRIP CONTAINS 0.44 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

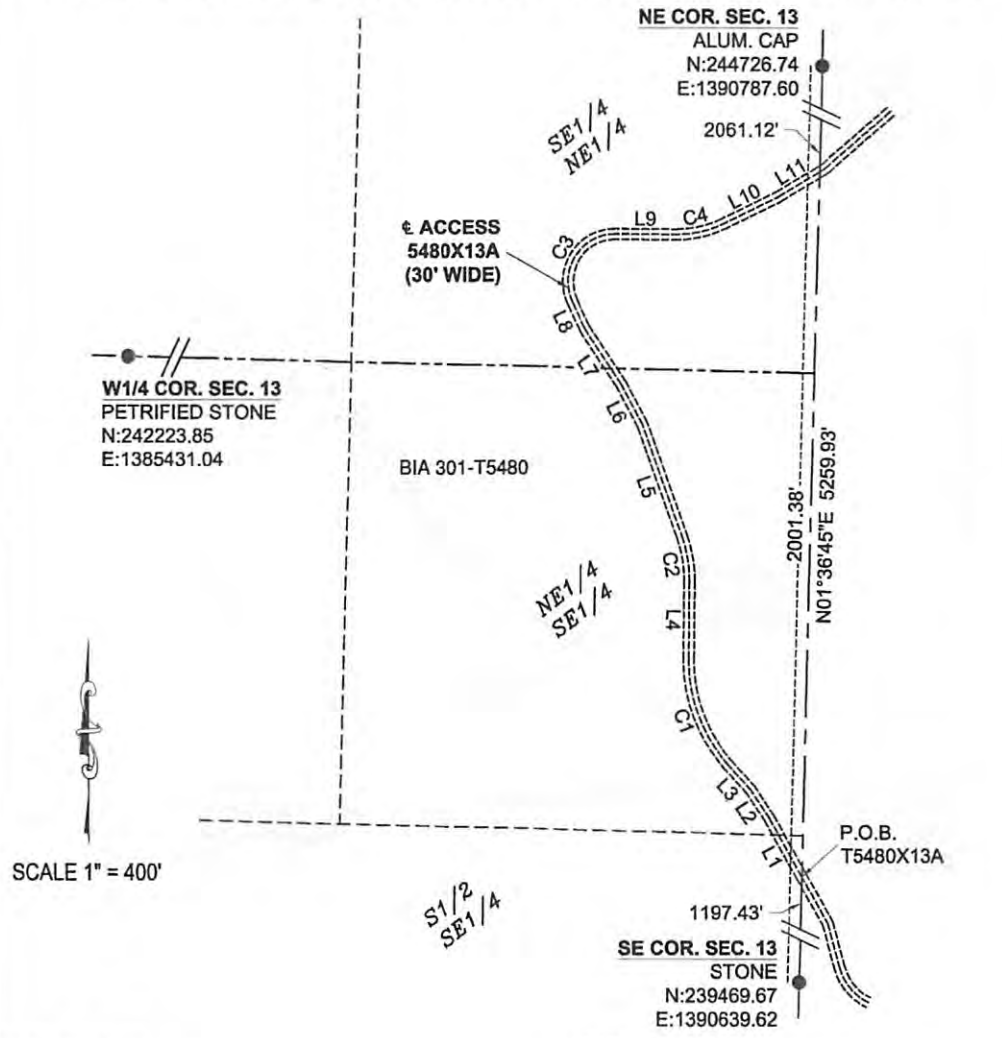
I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5480 DESCRIPTIONS

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5480

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

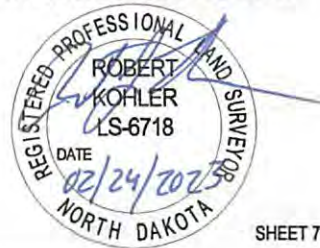
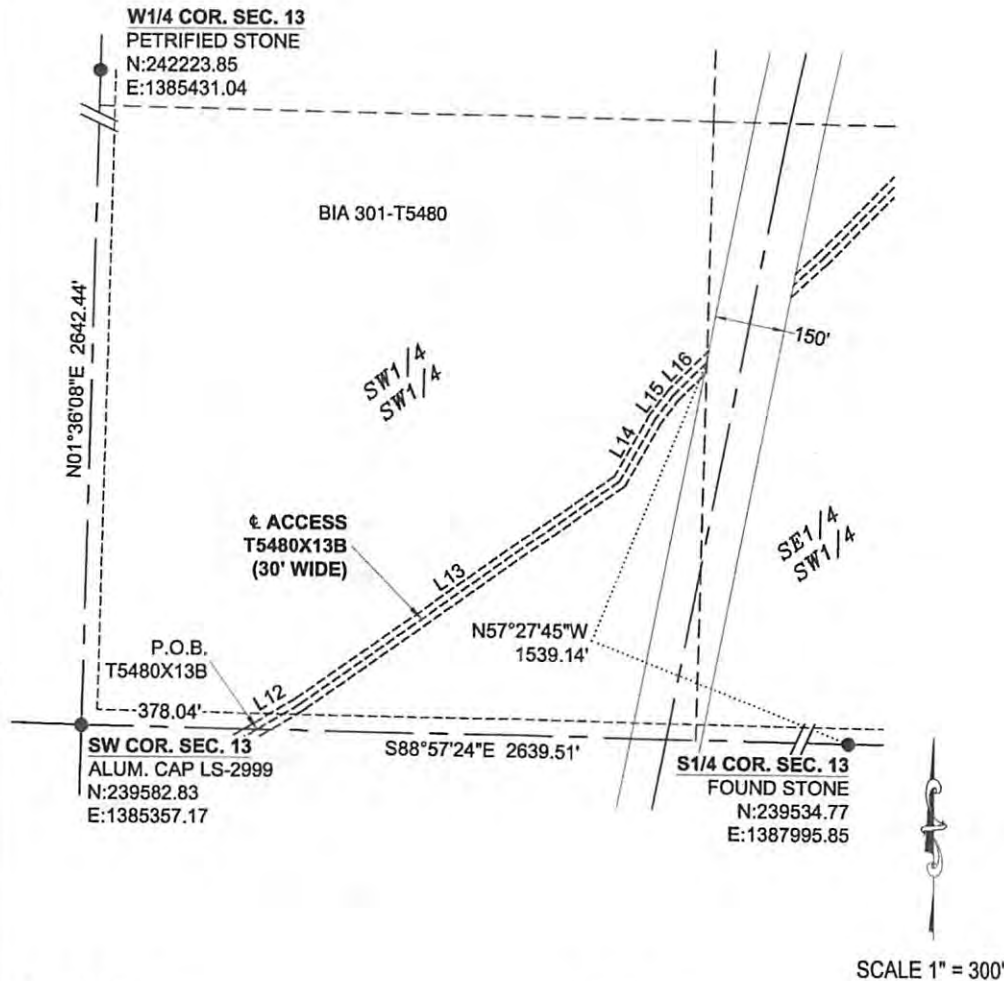


EXHIBIT C - BIA ID# 301-T5480 DESCRIPTIONS

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



SCALE 1" = 300'

BIA ID#: 301-T5480

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

[Signature]
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

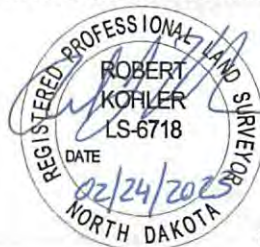
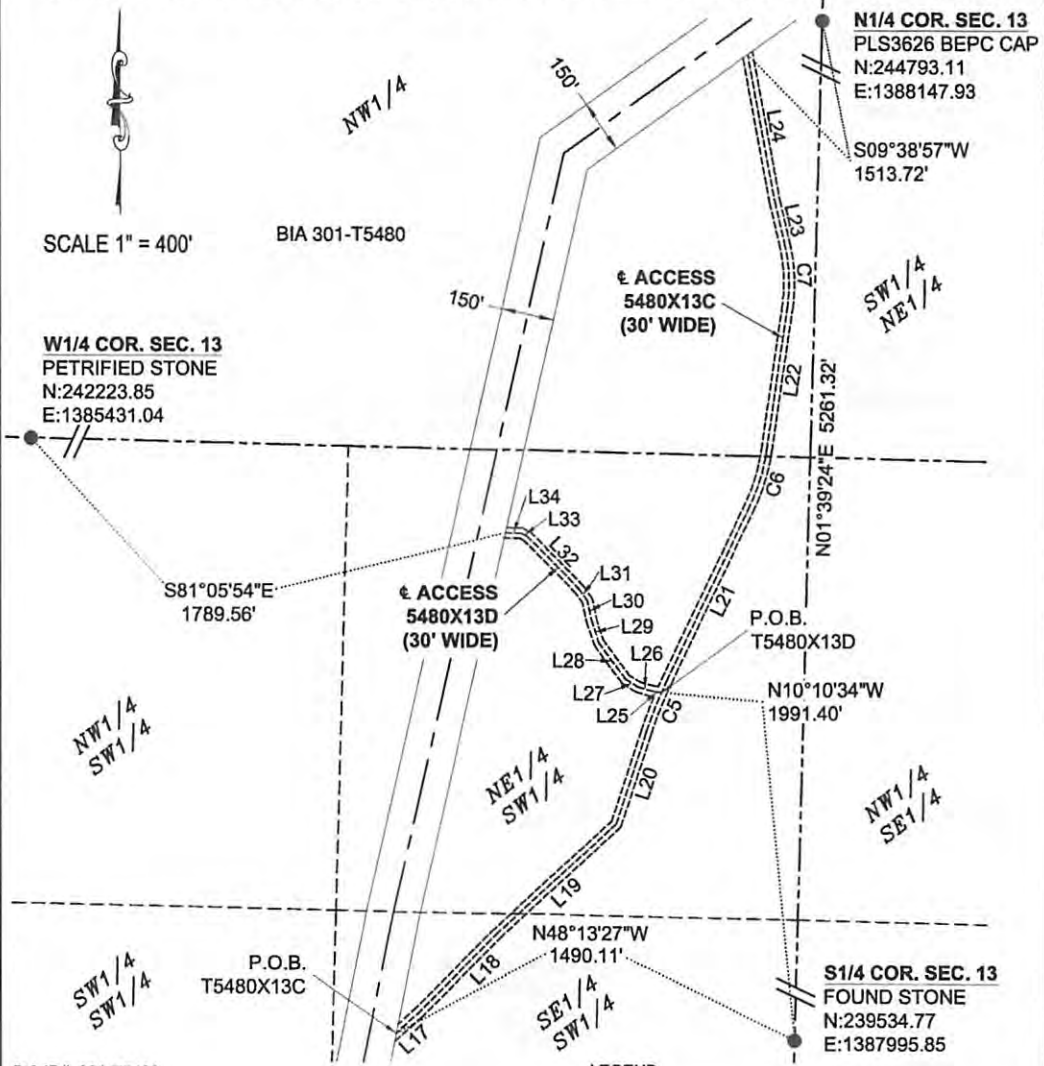


EXHIBIT C - BIA ID# 301-T5480 DESCRIPTIONS

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5480

- LEGEND**
- FOUND MONUMENT
 - ▲ CALCULATED CORNER

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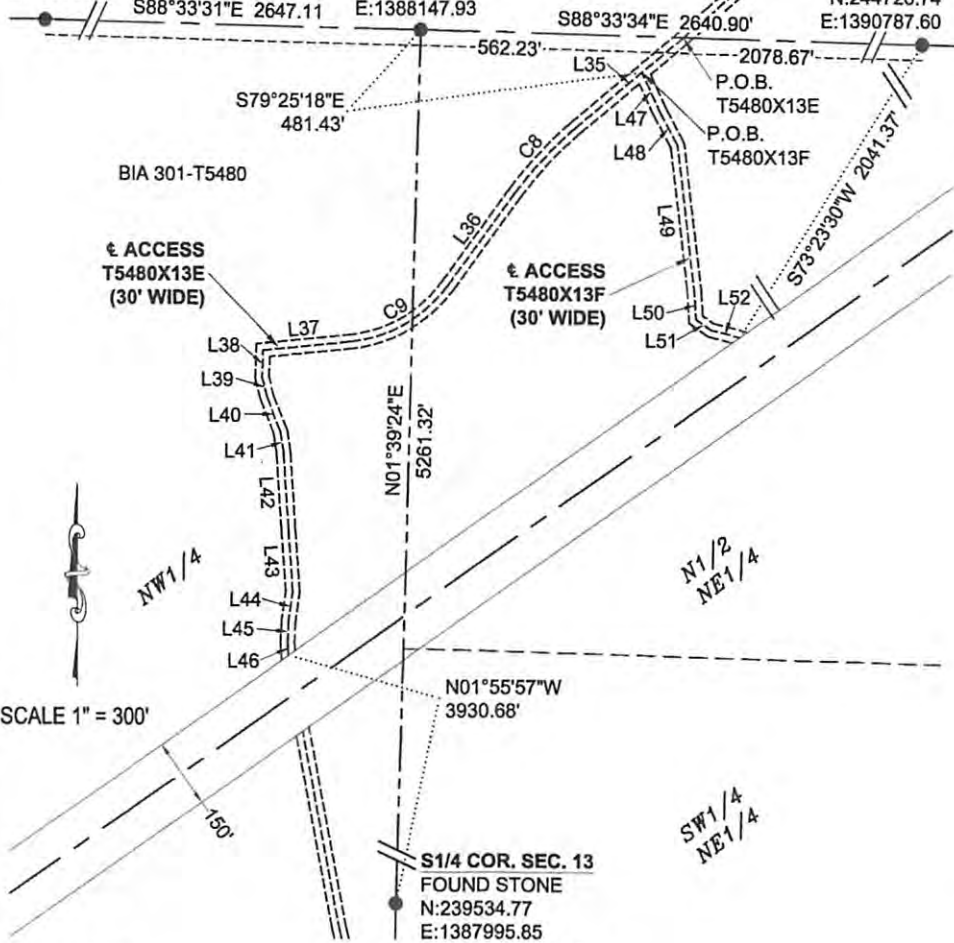
EXHIBIT C - BIA ID# 301-T5480 DESCRIPTIONS

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

NW COR. SEC. 13
ALUM. CAP LS-3496
N:244859.69
E:1385502.05

N1/4 COR. SEC. 13
PLS3626 BEPC CAP
N:244793.11
E:1388147.93

NE COR. SEC. 13
ALUM. CAP
N:244726.74
E:1390787.60



BIA ID#: 301-T5480

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

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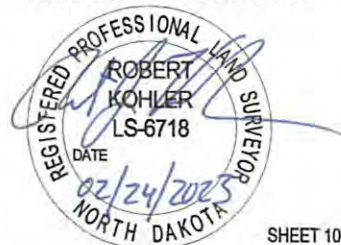


EXHIBIT C - BIA ID# 301-T5480 DESCRIPTIONS

PART OF THE NORTHWEST QUARTER (NW1/4), THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4), THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) AND THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4), IN SECTION 13 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	N28°51'50"W	192.15'
L2	N32°58'56"W	96.59'
L3	N41°52'39"W	94.96'
L4	N00°54'30"E	216.95'
L5	N19°23'48"W	337.88'
L6	N27°42'12"W	129.31'
L7	N33°25'43"W	187.49'
L8	N25°26'56"W	81.40'
L9	S89°25'23"E	170.06'
L10	N64°03'07"E	169.55'
L11	N58°47'20"E	139.15'
L12	N59°59'43"E	106.12'
L13	N55°00'38"E	837.47'
L14	N29°41'48"E	152.70'
L15	N37°07'16"E	61.48'
L16	N45°25'56"E	102.15'
L17	N48°03'50"E	88.31'
L18	N45°08'36"E	311.04'
L19	N47°29'12"E	465.91'
L20	N18°17'03"E	274.63'
L21	N25°52'30"E	535.74'
L22	N08°20'02"E	407.87'
L23	N13°07'17"W	119.92'
L24	N10°32'49"W	427.29'
L25	N80°17'37"W	27.46'
L26	N74°57'59"W	41.35'

LINE	BEARING	DISTANCE
L27	N58°40'08"W	40.98'
L28	N36°34'01"W	130.09'
L29	N18°37'37"W	61.47'
L30	N12°26'35"W	61.27'
L31	N35°40'32"W	41.32'
L32	N44°31'05"W	207.42'
L33	N60°40'53"W	20.78'
L34	N87°56'42"W	45.40'
L35	S50°06'17"W	301.55'
L36	S36°03'14"W	241.68'
L37	S84°23'22"W	187.05'
L38	S01°49'26"W	57.86'
L39	S14°11'38"E	41.81'
L40	S21°55'17"E	81.91'
L41	S08°29'21"E	42.76'
L42	S03°35'30"E	167.85'
L43	S03°53'47"E	130.54'
L44	S07°57'33"W	64.28'
L45	S02°59'26"W	43.71'
L46	S04°38'04"E	27.37'
L47	S24°38'52"E	89.93'
L48	S28°05'00"E	81.87'
L49	S06°45'04"E	310.24'
L50	S03°40'42"E	62.25'
L51	S55°19'04"E	38.83'
L52	S76°15'22"E	64.00'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	328.57'	440.00'	42°47'09"	N20°29'05"W	320.99'
C2	132.89'	375.00'	20°18'17"	N09°14'39"W	132.20'
C3	273.38'	135.00'	116°01'33"	N32°33'50"E	229.01'
C4	145.83'	315.00'	26°31'29"	N77°18'52"E	144.53'
C5	165.60'	1250.00'	7°35'26"	N22°04'46"E	165.48'
C6	176.03'	575.00'	17°32'27"	N17°06'16"E	175.35'
C7	177.87'	475.00'	21°27'20"	N02°23'37"W	176.84'
C8	190.06'	775.00'	14°03'03"	S43°04'46"W	189.58'
C9	253.08'	300.00'	48°20'08"	S60°13'18"W	245.65'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



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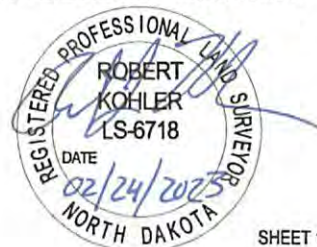



EXHIBIT A - BIA ID# 301-T5482

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) AND THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) IN SECTION 23, TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NATHAN KLEYER
Notary Public
State of North Dakota
My Commission Expires April 28, 2026


NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

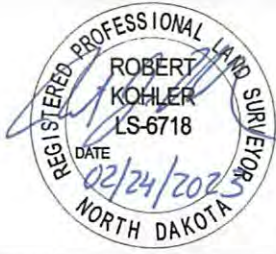

REGISTERED PROFESSIONAL LAND SURVEYOR
ROBERT KOHLER
LS-6718
DATE 02/24/2023
NORTH DAKOTA

EXHIBIT A - BIA ID# 301-T5482 DESCRIPTION

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) AND THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) IN SECTION 23, TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5482X23A DESCRIPTION (SEE PAGE 3 OF 4):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 23, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE1/4NE1/4; THENCE N88°13'40"W ALONG THE SOUTH LINE OF SAID SE1/4NE1/4 A DISTANCE OF 281.29 FEET TO THE POINT OF BEGINNING; THENCE N35°13'05"W A DISTANCE OF 154.49 FEET; THENCE N28°35'40"W A DISTANCE OF 104.08 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 179.13 FEET, A RADIUS OF 135.00 FEET, A DELTA ANGLE OF 76°01'34". A CHORD BEARING OF N09°25'07"E, AND A CHORD LENGTH OF 166.28 FEET; THENCE N47°25'54"E A DISTANCE OF 102.05 FEET; THENCE N41°11'38"E A DISTANCE OF 41.94 FEET; THENCE N31°55'30"E A DISTANCE OF 103.46 FEET; THENCE N19°31'33"E A DISTANCE OF 41.63 FEET; THENCE N24°33'46"W A DISTANCE OF 40.22 FEET; THENCE N25°42'25"W A DISTANCE OF 270.20 FEET; THENCE N21°21'56"W A DISTANCE OF 286.53 FEET; THENCE N25°34'47"W A DISTANCE OF 234.64 FEET; THENCE N13°04'22"W A DISTANCE OF 176.35 FEET; THENCE N08°18'18"E A DISTANCE OF 127.07 FEET; THENCE N35°22'21"E A DISTANCE OF 379.25 FEET; THENCE N43°19'47"E A DISTANCE OF 370.00 FEET; THENCE N53°00'52"E A DISTANCE OF 214.39 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION 23 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S01°29'36"W A DISTANCE OF 254.53 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 23.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 2825.43 FEET (171.24 RODS) IN LENGTH. SAID STRIP CONTAINS 1.95 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

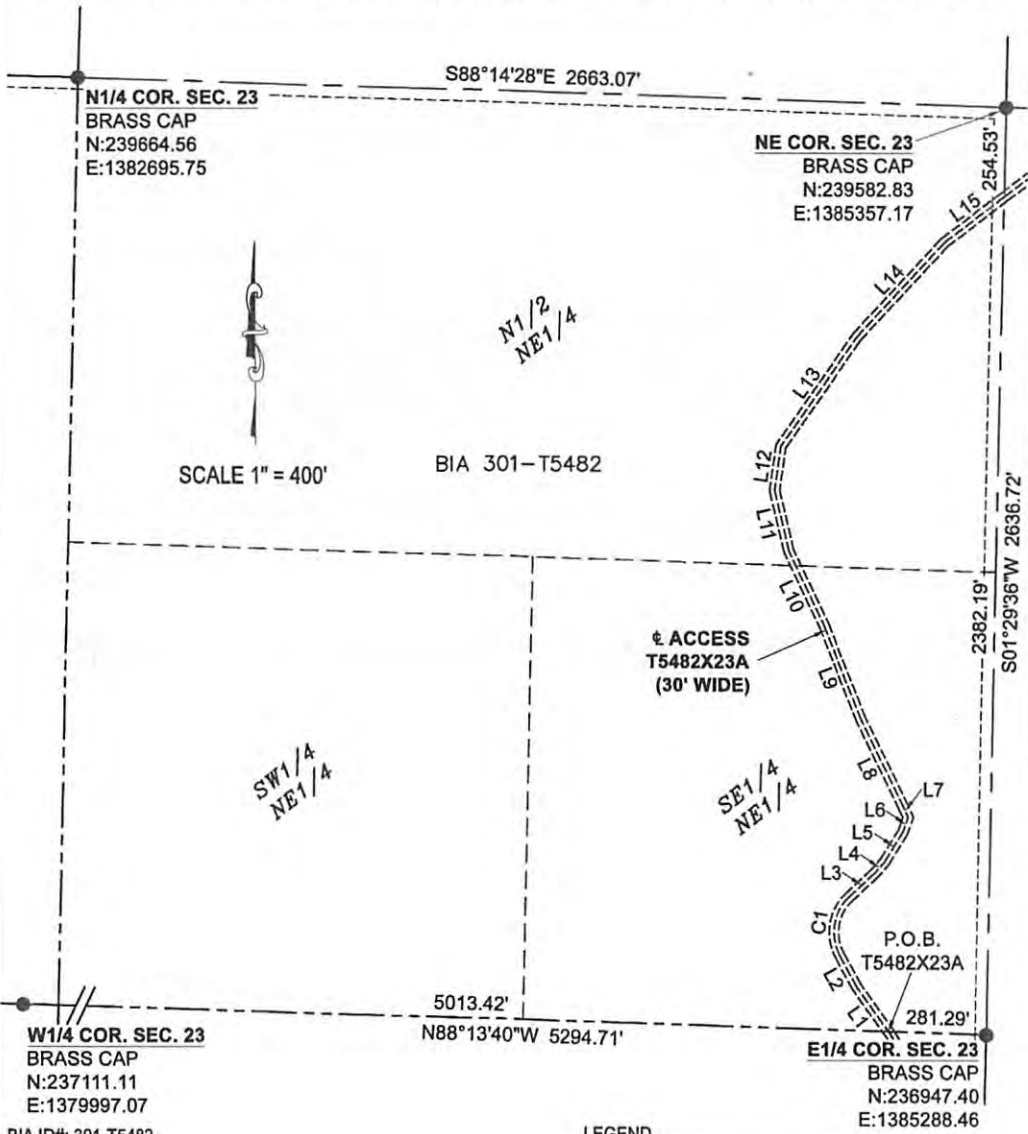


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5482

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) AND THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) IN SECTION 23, TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5482

- LEGEND**
- FOUND MONUMENT
 - ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

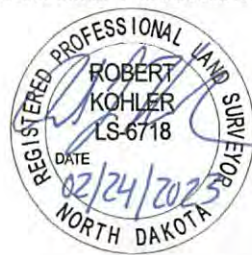


EXHIBIT A - BIA ID# 301-T5482 LINE/CURVE TABLES

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4), THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) AND THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2SE1/4) IN SECTION 23, TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	N35°13'05"W	154.49'
L2	N28°35'40"W	104.08'
L3	N47°25'54"E	102.05'
L4	N41°11'38"E	41.94'
L5	N31°55'30"E	103.46'
L6	N19°31'33"E	41.63'
L7	N24°33'46"W	40.22'
L8	N25°42'25"W	270.20'
L9	N21°21'56"W	286.53'
L10	N25°34'47"W	234.64'
L11	N13°04'22"W	176.35'
L12	N08°18'18"E	127.07'
L13	N35°22'21"E	379.25'
L14	N43°19'47"E	370.00'
L15	N53°00'52"E	214.39'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	179.13'	135.00'	76°01'34"	N09°25'07"E	166.28'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

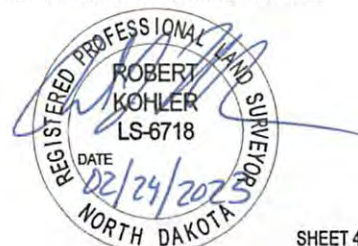


EXHIBIT A - BIA ID# 301-T5483 DESCRIPTION

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTHWEST QUARTER (NW1/4), THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2SE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) IN SECTION 24 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement					Access Easement(s)	
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

TRANSMISSION LINE DESCRIPTION - BIA ID# 301-T5483 (SEE PAGE 2 OF 8):

A STRIP OF LAND OF VARYING WIDTH LOCATED IN PART OF THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4), AND THE NORTHWEST QUARTER (NW1/4), ALL IN SECTION 24, TOWNSHIP 148 NORTH, RANGE 96 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE BLM BRASS CAP AT THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE S88°55'35"E ALONG THE SOUTH LINE OF SAID SECTION 24 A DISTANCE OF 1568.73 FEET TO THE POINT OF BEGINNING; THENCE N00°31'07"E ALONG THE STRIP CENTERLINE, SAID STRIP BEING 225.00 FEET WIDE, WITH THE SIDE LINES LYING 112.50 FEET ON EACH SIDE A DISTANCE OF 864.73 FEET; THENCE N28°27'36"W ALONG SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 1612.43 FEET; THENCE N11°24'11"E ALONG SAID STRIP BEING 175.00 FEET WIDE, WITH THE SIDE LINES LYING 87.50 FEET ON EACH SIDE A DISTANCE OF 2610.40 FEET; THENCE N11°24'11"E ALONG SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 421.94 FEET TO THE NORTH LINE OF SAID SECTION 24 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S88°57'24"E A DISTANCE OF 1256.36 FEET FROM THE ALUMINUM CAP MARKED LS-2999 AT THE NORTHWEST CORNER OF SAID SECTION 24.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 5509.50 FEET (333.91 RODS) IN LENGTH. SAID STRIP CONTAINS 21.96 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NATHAN KLEYER
Notary Public
State of North Dakota
My Commission Expires April 28, 2026


NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

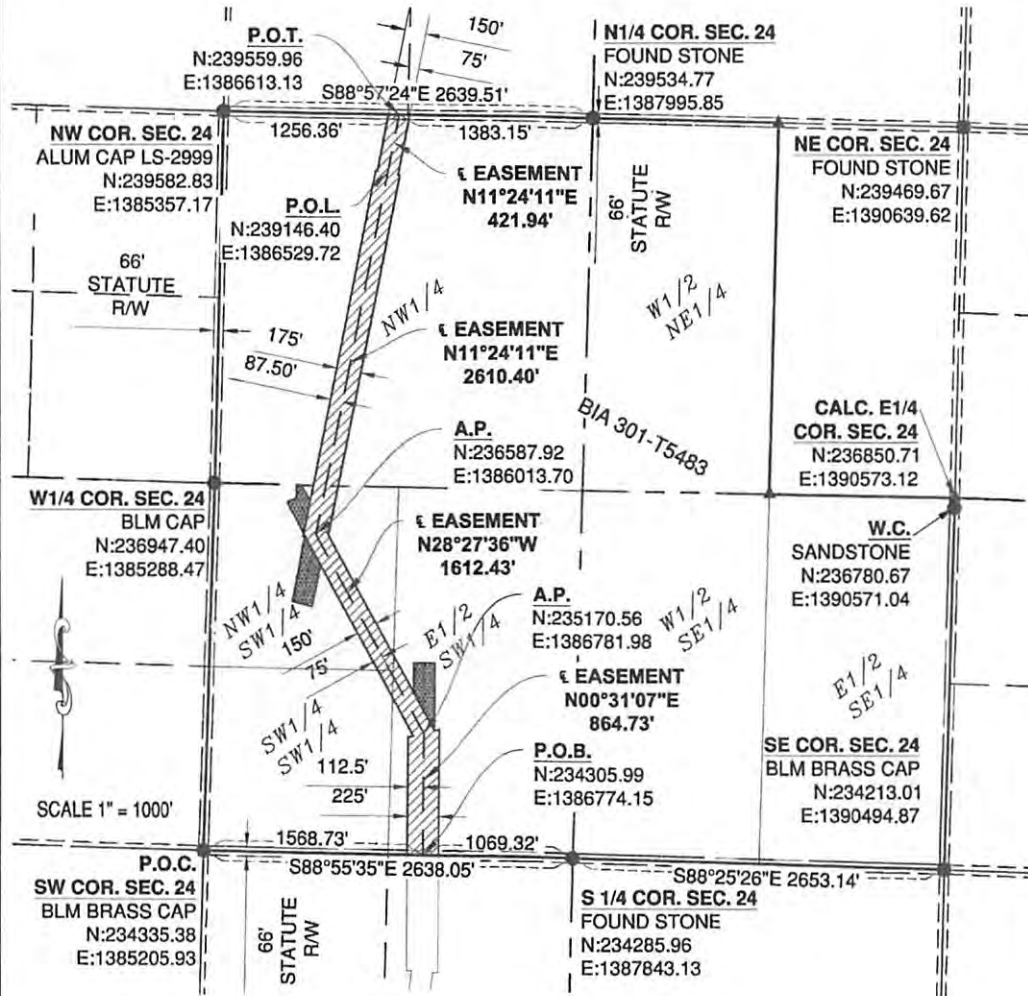
I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

REGISTERED PROFESSIONAL LAND SURVEYOR
ROBERT KOHLER
LS-6718
DATE 02/24/2023
NORTH DAKOTA

EXHIBIT A - BIA ID# 301-T5483

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTHWEST QUARTER (NW1/4), THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2SE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) IN SECTION 24 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5483
BEPC: 366-301-T5483

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

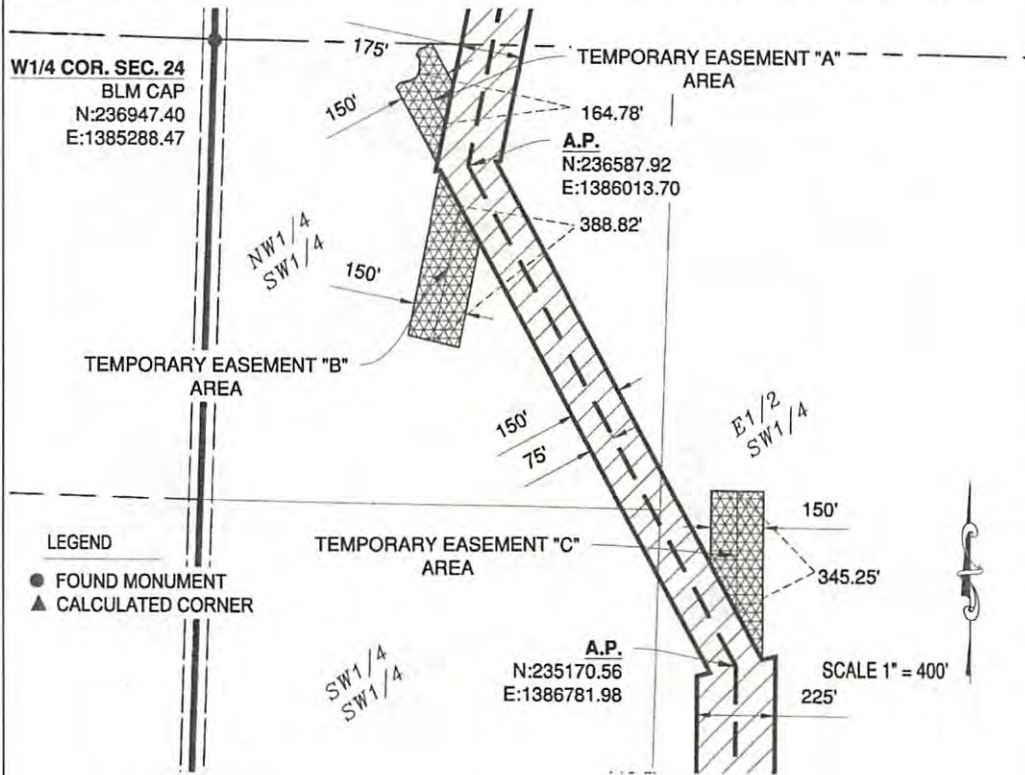
I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT B - BIA ID# 301-T5483 TEMPORARY EASEMENTS

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTHWEST QUARTER (NW1/4), THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2SE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) IN SECTION 24 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5483
BEPC: 366-301-T5483

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

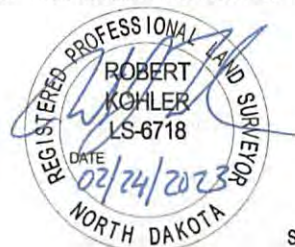


EXHIBIT C - BIA ID# 301-T5483 DESCRIPTIONS

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTHWEST QUARTER (NW1/4), THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2SE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) IN SECTION 24 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS 5483X24A DESCRIPTION (SEE PAGE 6 OF 8):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) OF SECTION 24, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID E1/2SW1/4; THENCE N88°55'35"W ALONG THE SOUTH LINE OF SAID E1/2SW1/4 A DISTANCE OF 97.53 FEET TO THE POINT OF BEGINNING; THENCE N04°53'27"W A DISTANCE OF 5.01 FEET; THENCE N00°55'55"W A DISTANCE OF 131.09 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 170.37 FEET, A RADIUS OF 150.00 FEET, A DELTA ANGLE OF 65°04'35", A CHORD BEARING OF N33°28'13"W, AND A CHORD LENGTH OF 161.36 FEET; THENCE N66°00'30"W A DISTANCE OF 88.88 FEET; THENCE N50°06'49"W A DISTANCE OF 143.83 FEET; THENCE N36°00'33"W A DISTANCE OF 207.29 FEET; THENCE N46°44'27"W A DISTANCE OF 82.86 FEET; THENCE N39°56'49"W A DISTANCE OF 60.91 FEET; THENCE N42°32'58"W A DISTANCE OF 207.32 FEET; THENCE N46°19'15"W A DISTANCE OF 145.91 FEET; THENCE N49°05'21"W A DISTANCE OF 112.92 FEET; THENCE N53°45'17"W A DISTANCE OF 127.06 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 75.46 FEET, A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 43°14'17", A CHORD BEARING OF N32°08'09"W, AND A CHORD LENGTH OF 73.69 FEET; THENCE N10°31'01"W A DISTANCE OF 64.01 FEET; THENCE N55°40'01"W A DISTANCE OF 116.29 FEET, MORE OR LESS, TO THE NORTHEASTERLY SIDELINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N50°06'52"E A DISTANCE OF 1896.44 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1739.22 FEET (105.41 RODS) IN LENGTH. SAID STRIP CONTAINS 1.20 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS 5483X24B DESCRIPTION (SEE PAGE 6 OF 8):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4) OF SECTION 24, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID E1/2SW1/4; THENCE N42°51'16"W A DISTANCE OF 1328.90 FEET TO THE POINT OF BEGINNING; THENCE S54°02'13"W A DISTANCE OF 106.98 FEET, MORE OR LESS, TO THE NORTHEASTERLY SIDELINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N62°22'38"E A DISTANCE OF 1859.06 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 106.98 FEET (6.48 RODS) IN LENGTH. SAID STRIP CONTAINS 0.07 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5483 DESCRIPTIONS

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTHWEST QUARTER (NW1/4), THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2SE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) IN SECTION 24 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS 5483X24C DESCRIPTION (SEE PAGE 6 OF 8):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 24, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW1/4SW1/4; THENCE S01°48'35"W ALONG THE WEST LINE OF SAID NW1/4SW1/4 A DISTANCE OF 244.86 FEET TO THE POINT OF BEGINNING; THENCE S55°57'47"E A DISTANCE OF 91.04 FEET; THENCE S31°25'30"E A DISTANCE OF 60.72 FEET; THENCE S59°45'55"E A DISTANCE OF 145.32 FEET; THENCE S56°50'57"E A DISTANCE OF 102.44 FEET; THENCE S63°14'04"E A DISTANCE OF 40.13 FEET; THENCE S47°00'46"E A DISTANCE OF 40.53 FEET; THENCE S56°09'02"E A DISTANCE OF 164.35 FEET; THENCE S51°28'02"E A DISTANCE OF 84.63 FEET; THENCE S46°17'23"E A DISTANCE OF 187.04 FEET; THENCE S46°21'49"E A DISTANCE OF 205.74 FEET; THENCE S46°39'58"E A DISTANCE OF 254.81 FEET, MORE OR LESS, TO THE SOUTHWESTERLY SIDELINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N37°01'10"E A DISTANCE OF 1878.23 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1376.75 FEET (83.44 RODS) IN LENGTH. SAID STRIP CONTAINS 0.95 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS 5483X24D DESCRIPTION (SEE PAGE 8 OF 8):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 24, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

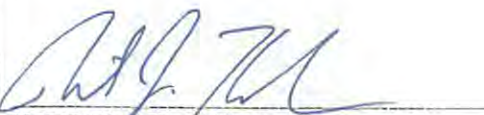
COMMENCING AT THE NORTHWEST CORNER OF SAID NW1/4NW1/4; THENCE S01°29'36"W ALONG THE WEST LINE OF SAID NW1/4NW1/4 A DISTANCE OF 254.53 FEET TO THE POINT OF BEGINNING; THENCE N53°00'52"E A DISTANCE OF 181.39 FEET; THENCE N59°59'43"E A DISTANCE OF 276.82 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID NW1/4NW1/4 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N88°57'24"W A DISTANCE OF 2261.47 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 24.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 458.21 FEET (27.77 RODS) IN LENGTH. SAID STRIP CONTAINS 0.32 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

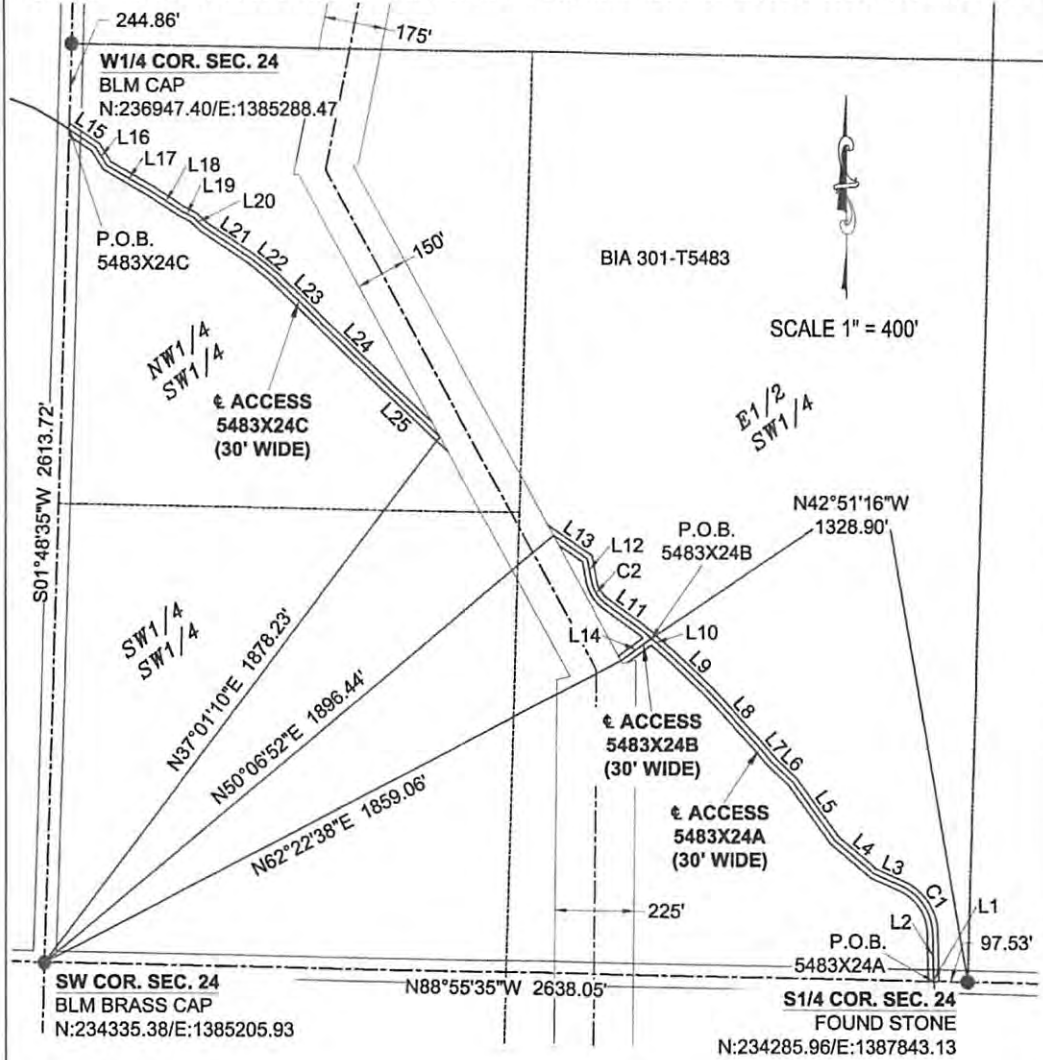


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5483

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTHWEST QUARTER (NW1/4), THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2SE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) IN SECTION 24 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5483
BEPC: 366-301-T5483

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

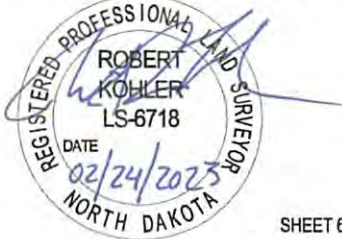
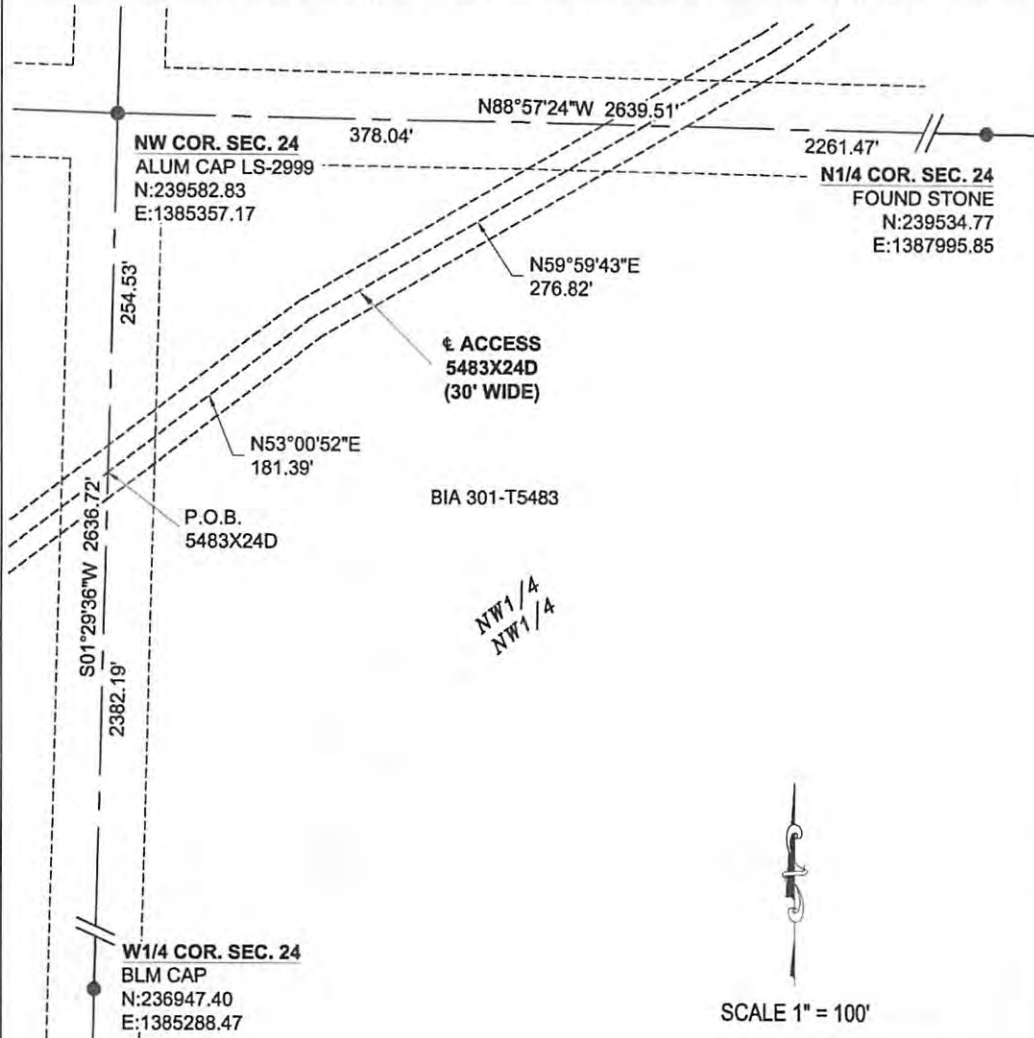


EXHIBIT C - BIA ID# 301-T5483

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTHWEST QUARTER (NW1/4), THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2SE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) IN SECTION 24 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5483
BEPC: 366-301-T5483

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

[Handwritten Signature]

ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5483 LINE/CURVE TABLES

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTHWEST QUARTER (NW1/4), THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2SE1/4), THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2SW1/4), AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) IN SECTION 24 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	N04°53'27"W	5.01'
L2	N00°55'55"W	131.09'
L3	N66°00'30"W	88.88'
L4	N50°06'49"W	143.83'
L5	N36°00'33"W	207.29'
L6	N46°44'27"W	82.86'
L7	N39°56'49"W	60.91'
L8	N42°32'58"W	207.32'
L9	N46°19'15"W	145.91'
L10	N49°05'21"W	112.92'
L11	N53°45'17"W	127.06'
L12	N10°31'01"W	64.01'
L13	N55°40'01"W	116.29'
L14	S54°02'13"W	106.98'
L15	S55°57'47"E	91.04'
L16	S31°25'30"E	60.72'
L17	S59°45'55"E	145.32'
L18	S56°50'57"E	102.44'
L19	S63°14'04"E	40.13'
L20	S47°00'46"E	40.53'
L21	S56°09'02"E	164.35'
L22	S51°28'02"E	84.63'
L23	S46°17'23"E	187.04'
L24	S46°21'49"E	205.74'
L25	S46°39'58"E	254.81'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	170.37'	150.00'	65°04'35"	N33°28'13"W	161.36'
C2	75.46'	100.00'	43°14'17"	N32°08'09"W	73.69'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



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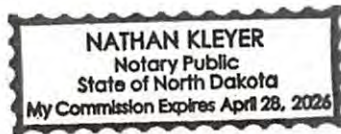


EXHIBIT A - BIA ID# 301-T5484

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ON THIS 27th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



Nathan Kleyer
 NOTARY PUBLIC
 BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5484 DESCRIPTION

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

TRANSMISSION LINE DESCRIPTION - BIA ID# 301-T5484 (SEE PAGE 3 OF 11):

A STRIP OF LAND OF VARYING WIDTH LOCATED IN PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4), AND THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), ALL IN SECTION 25, TOWNSHIP 148 NORTH, RANGE 96 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. SAID STRIP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE BLM BRASS CAP AT THE SOUTHWEST CORNER OF SAID SECTION 25; THENCE S88°28'29"E ALONG THE SOUTH LINE OF SAID SECTION 25 A DISTANCE OF 804.06 FEET TO THE POINT OF BEGINNING; THENCE N20°22'54"E ALONG THE STRIP CENTERLINE, SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 1164.65 FEET; THENCE N22°20'22"W ALONG SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 1541.78 FEET; THENCE N46°28'27"E ALONG SAID STRIP BEING 175.00 FEET WIDE, WITH THE SIDE LINES LYING 87.50 FEET ON EACH SIDE A DISTANCE OF 1293.76 FEET; THENCE N07°39'44"E ALONG SAID STRIP BEING 150.00 FEET WIDE, WITH THE SIDE LINES LYING 75.00 FEET ON EACH SIDE A DISTANCE OF 1014.24; THENCE N00°31'07"E ALONG SAID STRIP BEING 225.00 FEET WIDE, WITH THE SIDE LINES LYING 112.50 FEET ON EACH SIDE A DISTANCE OF 825.77 FEET TO THE NORTH LINE OF SAID SECTION 25 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S88°55'35"E A DISTANCE OF 1568.73 FEET FROM THE BLM BRASS CAP AT THE NORTHWEST CORNER OF SAID SECTION 25.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 5840.20 FEET (353.95 RODS) IN LENGTH. SAID STRIP CONTAINS 22.27 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

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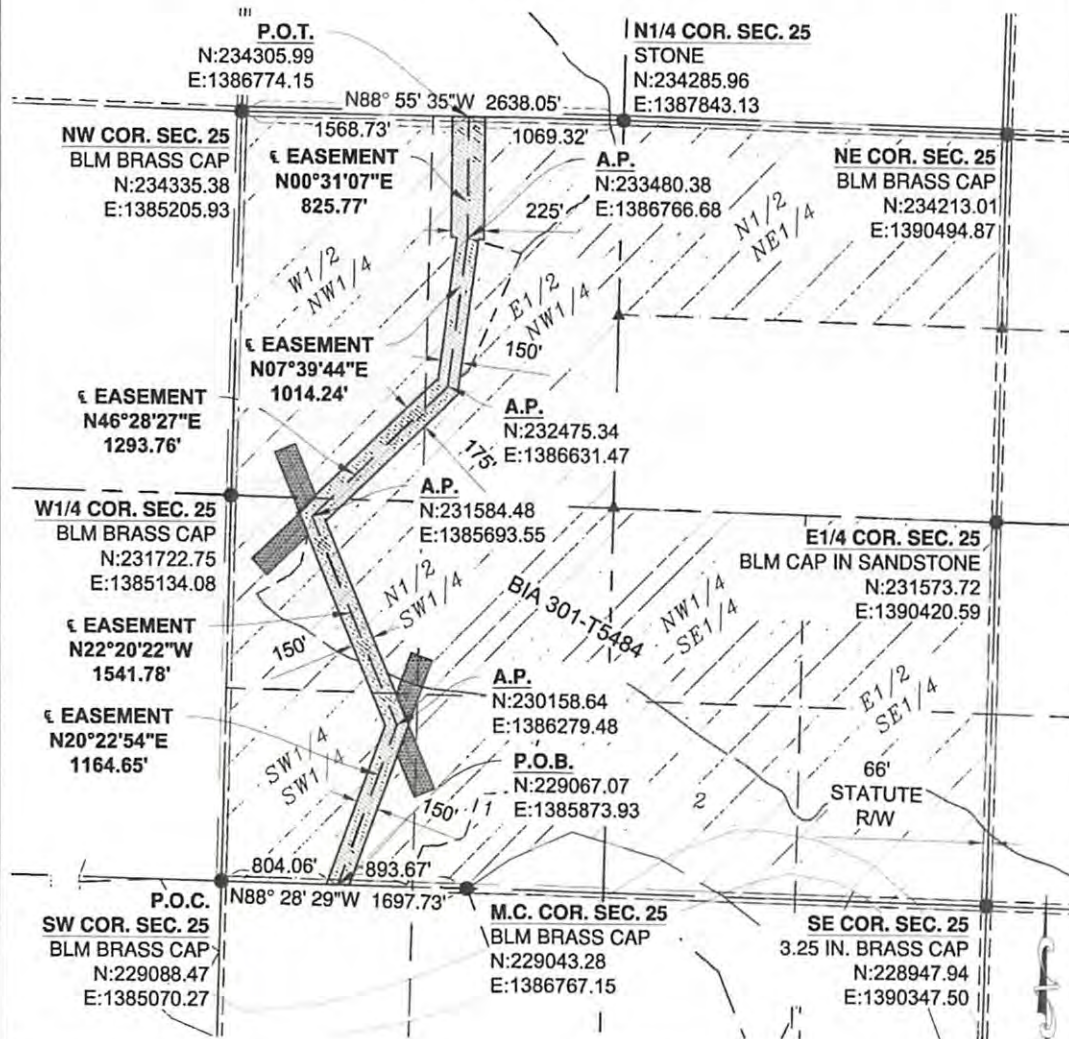


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5484

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5484
 BEPC: 366-301-T5484

LEGEND

- FOUND MONUMENT (AS NOTED)
 - ▲ CALCULATED CORNER
- SCALE 1" = 1000'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

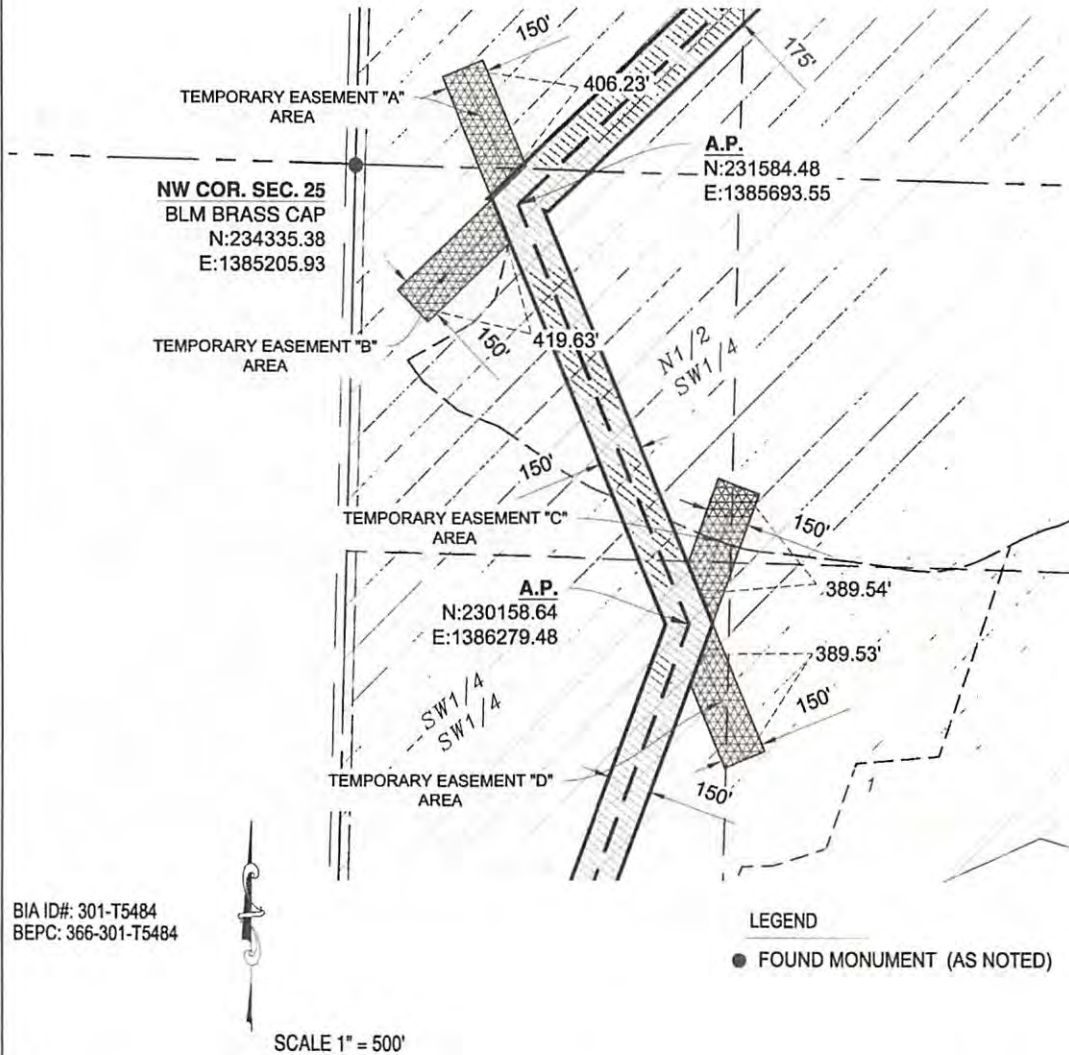
(Handwritten Signature)

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT B - BIA ID# 301-T5484 TEMPORARY EASEMENTS

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



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 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

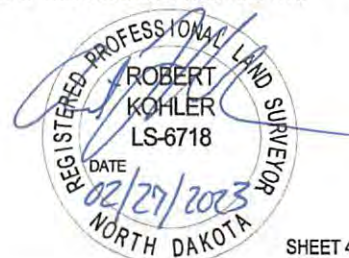


EXHIBIT C - BIA ID# 301-T5484 DESCRIPTIONS

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5484X25A DESCRIPTION (SEE PAGE 8 AND 9 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOTS 1 AND 2, THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) AND THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 25, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE N01°35'40"E ALONG THE EAST LINE OF SAID SECTION 25 A DISTANCE OF 503.95 FEET TO THE POINT OF BEGINNING; THENCE N49°05'50"W A DISTANCE OF 40.25 FEET; THENCE N39°44'17"W A DISTANCE OF 126.76 FEET; THENCE N51°15'36"W A DISTANCE OF 50.71 FEET; THENCE N66°42'29"W A DISTANCE OF 153.47 FEET; THENCE N61°02'18"W A DISTANCE OF 130.39 FEET; THENCE N64°46'46"W A DISTANCE OF 56.78 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 229.11 FEET, A RADIUS OF 325.00 FEET, A DELTA ANGLE OF 40°23'29", A CHORD BEARING OF N84°58'30"W, AND A CHORD LENGTH OF 224.40 FEET; THENCE S74°49'45"W A DISTANCE OF 179.68 FEET; THENCE S72°59'34"W A DISTANCE OF 231.95 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 91.13 FEET, A RADIUS OF 150.00 FEET, A DELTA ANGLE OF 34°48'33", A CHORD BEARING OF S55°35'18"W, AND A CHORD LENGTH OF 89.73 FEET; THENCE S38°11'02"W A DISTANCE OF 65.18 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 136.52 FEET, A RADIUS OF 85.00 FEET, A DELTA ANGLE OF 92°01'36", A CHORD BEARING OF S84°11'50"W, AND A CHORD LENGTH OF 122.31 FEET; THENCE N49°47'22"W A DISTANCE OF 41.03 FEET; THENCE N32°35'06"W A DISTANCE OF 50.83 FEET; THENCE N22°13'47"W A DISTANCE OF 76.13 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 70.12 FEET, A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 40°10'43", A CHORD BEARING OF N42°19'09"W, AND A CHORD LENGTH OF 68.70 FEET; THENCE N62°24'31"W A DISTANCE OF 84.51 FEET; THENCE N53°39'03"W A DISTANCE OF 50.34 FEET; THENCE N48°01'18"W A DISTANCE OF 77.93 FEET; THENCE N53°21'06"W A DISTANCE OF 77.00 FEET; THENCE N59°04'45"W A DISTANCE OF 207.06 FEET; THENCE N56°42'24"W A DISTANCE OF 133.73 FEET; THENCE N53°50'35"W A DISTANCE OF 179.83 FEET; THENCE N53°35'56"W A DISTANCE OF 128.38 FEET; THENCE N55°43'42"W A DISTANCE OF 77.21 FEET; THENCE N54°08'23"W A DISTANCE OF 130.07 FEET; THENCE N57°19'34"W A DISTANCE OF 102.43 FEET; THENCE N62°48'30"W A DISTANCE OF 77.42 FEET; THENCE N66°44'24"W A DISTANCE OF 75.89 FEET; THENCE N69°43'42"W A DISTANCE OF 62.72 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 78.75 FEET, A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 45°07'19", A CHORD BEARING OF S87°42'38"W, AND A CHORD LENGTH OF 76.73 FEET; THENCE S65°08'59"W A DISTANCE OF 63.66 FEET; THENCE S74°37'31"W A DISTANCE OF 52.73 FEET; THENCE S66°58'28"W A DISTANCE OF 78.20 FEET; THENCE S63°55'23"W A DISTANCE OF 159.11 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 256.19 FEET, A RADIUS OF 425.00 FEET, A DELTA ANGLE OF 34°32'17", A CHORD BEARING OF S81°11'31"W, AND A CHORD LENGTH OF 252.33 FEET; THENCE N81°32'20"W A DISTANCE OF 74.97 FEET; THENCE N82°26'10"W A DISTANCE OF 160.08 FEET; THENCE N83°34'02"W A DISTANCE OF 155.04 FEET; THENCE N84°00'04"W A DISTANCE OF 129.69 FEET; THENCE N80°15'16"W A DISTANCE OF 50.84 FEET; THENCE N75°59'56"W A DISTANCE OF 52.16 FEET; THENCE N71°39'47"W A DISTANCE OF 77.08 FEET; THENCE N66°55'08"W A DISTANCE OF 146.63 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N38°51'45"E A DISTANCE OF 1826.33 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 25.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 4729.69 FEET (286.65 RODS) IN LENGTH. SAID STRIP CONTAINS 3.26 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5484 DESCRIPTIONS

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5484X25B DESCRIPTION (SEE PAGE 9 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN GOVERNMENT LOT 1, THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SECTION 25, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 25; THENCE S60°07'08"E A DISTANCE OF 2596.25 FEET TO THE POINT OF BEGINNING; THENCE S18°57'18"W A DISTANCE OF 763.61 FEET; THENCE S85°08'27"W A DISTANCE OF 286.02 FEET; THENCE S19°31'21"W A DISTANCE OF 308.46 FEET; THENCE S71°53'53"W A DISTANCE OF 190.98 FEET; THENCE S88°36'15"W A DISTANCE OF 104.91 FEET; THENCE S23°21'27"W A DISTANCE OF 283.90 FEET; THENCE N69°55'21"W A DISTANCE OF 370.26 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N83°21'09"E A DISTANCE OF 938.40 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 25.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 2308.14 FEET (139.89 RODS) IN LENGTH. SAID STRIP CONTAINS 1.59 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5484X25C DESCRIPTION (SEE PAGE 9 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 25, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 25; THENCE N32°15'03"E A DISTANCE OF 1779.61 FEET TO THE POINT OF BEGINNING, SAID POINT BEING LOCATED ON THE WESTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT; THENCE N67°55'12"W A DISTANCE OF 86.85 FEET; THENCE N62°26'19"W A DISTANCE OF 101.39 FEET; THENCE N55°09'56"W A DISTANCE OF 255.07 FEET; THENCE N60°24'39"W A DISTANCE OF 25.56 FEET; THENCE N68°32'29"W A DISTANCE OF 145.96 FEET; THENCE N50°18'46"W A DISTANCE OF 151.00 FEET; THENCE N36°23'12"W A DISTANCE OF 90.58 FEET; THENCE N60°25'46"E A DISTANCE OF 263.65 FEET; THENCE N42°46'29"E A DISTANCE OF 109.37 FEET; THENCE N13°39'48"E A DISTANCE OF 202.04 FEET, MORE OR LESS, TO THE WESTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S63°38'42"E A DISTANCE OF 590.82 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 25.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1431.47 FEET (86.76 RODS) IN LENGTH. SAID STRIP CONTAINS 0.99 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5484 DESCRIPTIONS

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA

ACCESS T5484X25D DESCRIPTION (SEE PAGE 10 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4) OF SECTION 25, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 25; THENCE N88°55'35"W ALONG THE NORTH LINE OF SAID SECTION 25 A DISTANCE OF 97.53 FEET TO THE POINT OF BEGINNING; THENCE S04°53'27"E A DISTANCE OF 36.65 FEET; THENCE S12°54'43"E A DISTANCE OF 41.45 FEET; THENCE S19°49'10"E A DISTANCE OF 60.94 FEET; THENCE S06°45'13"E A DISTANCE OF 40.73 FEET; THENCE S35°37'36"W A DISTANCE OF 40.77 FEET; THENCE S23°01'33"W A DISTANCE OF 41.35 FEET; THENCE S11°58'55"W A DISTANCE OF 41.34 FEET; THENCE S06°21'36"W A DISTANCE OF 82.74 FEET; THENCE S15°10'46"W A DISTANCE OF 40.93 FEET; THENCE S28°50'01"W A DISTANCE OF 40.44 FEET; THENCE S53°17'47"W A DISTANCE OF 61.28 FEET; THENCE S45°09'15"W A DISTANCE OF 82.15 FEET; THENCE S58°41'54"W A DISTANCE OF 124.24 FEET; THENCE S45°31'42"W A DISTANCE OF 123.65 FEET; THENCE S56°56'08"W A DISTANCE OF 41.06 FEET; THENCE S40°08'24"W A DISTANCE OF 40.98 FEET; THENCE S51°52'44"W A DISTANCE OF 40.85 FEET; THENCE S61°08'11"W A DISTANCE OF 61.61 FEET; THENCE S43°13'11"W A DISTANCE OF 62.68 FEET; THENCE S45°34'27"W A DISTANCE OF 95.29 FEET; THENCE S24°19'30"W A DISTANCE OF 883.69 FEET; THENCE S55°20'45"W A DISTANCE OF 69.48 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N62°51'43"E A DISTANCE OF 1776.65 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 25.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 2154.30 FEET (130.56 RODS) IN LENGTH. SAID STRIP CONTAINS 1.48 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5484X25E DESCRIPTION (SEE PAGE 10 OF 11):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4) OF SECTION 25, TOWNSHIP 148 NORTH, RANGE 96 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 25; THENCE S37°54'02"W A DISTANCE OF 1151.29 FEET TO THE POINT OF BEGINNING; THENCE N74°27'14"W A DISTANCE OF 307.68 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S61°49'07"E A DISTANCE OF 1853.66 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 25.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 307.68 FEET (18.65 RODS) IN LENGTH. SAID STRIP CONTAINS 0.21 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

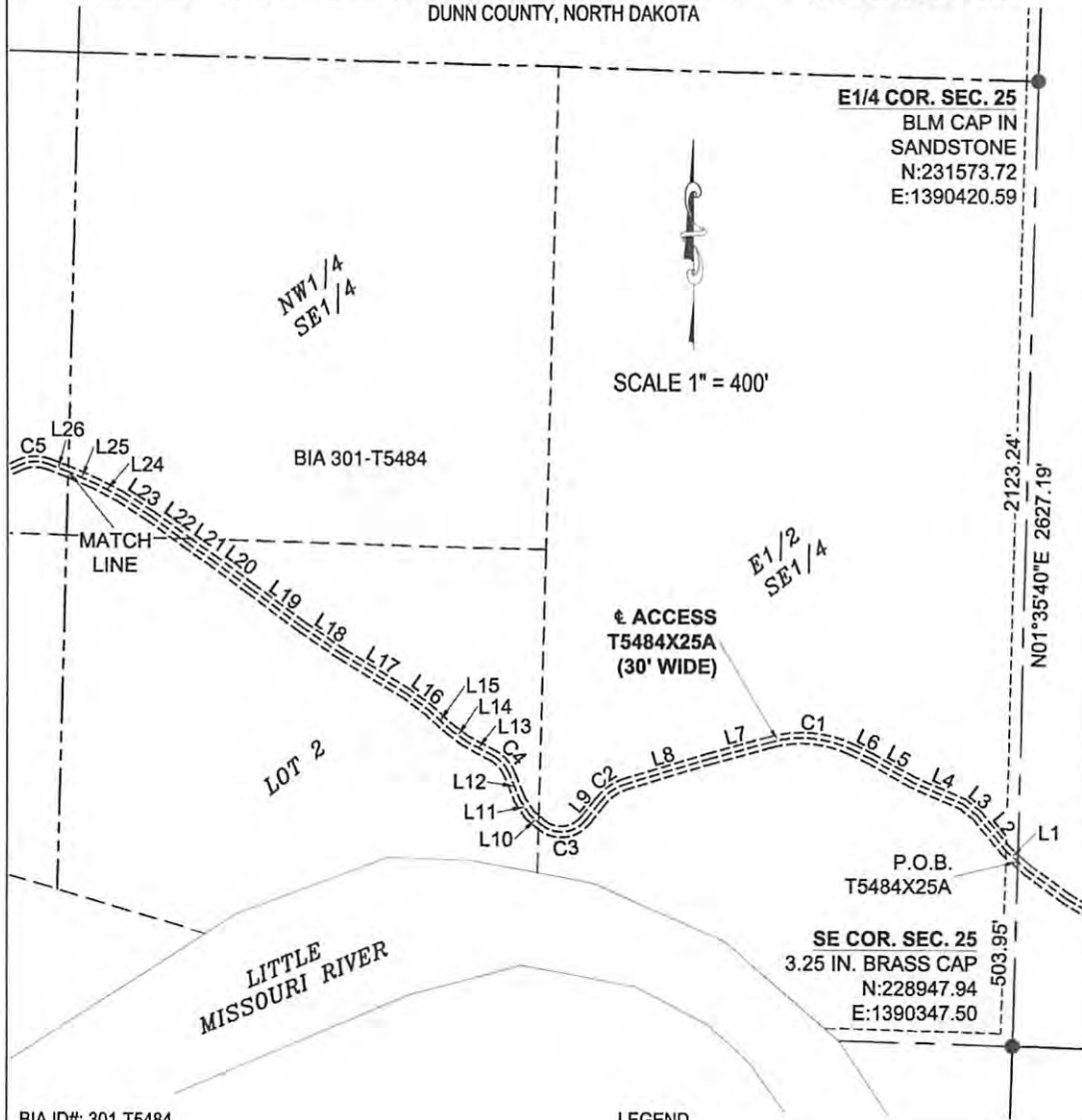
I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5484

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5484

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

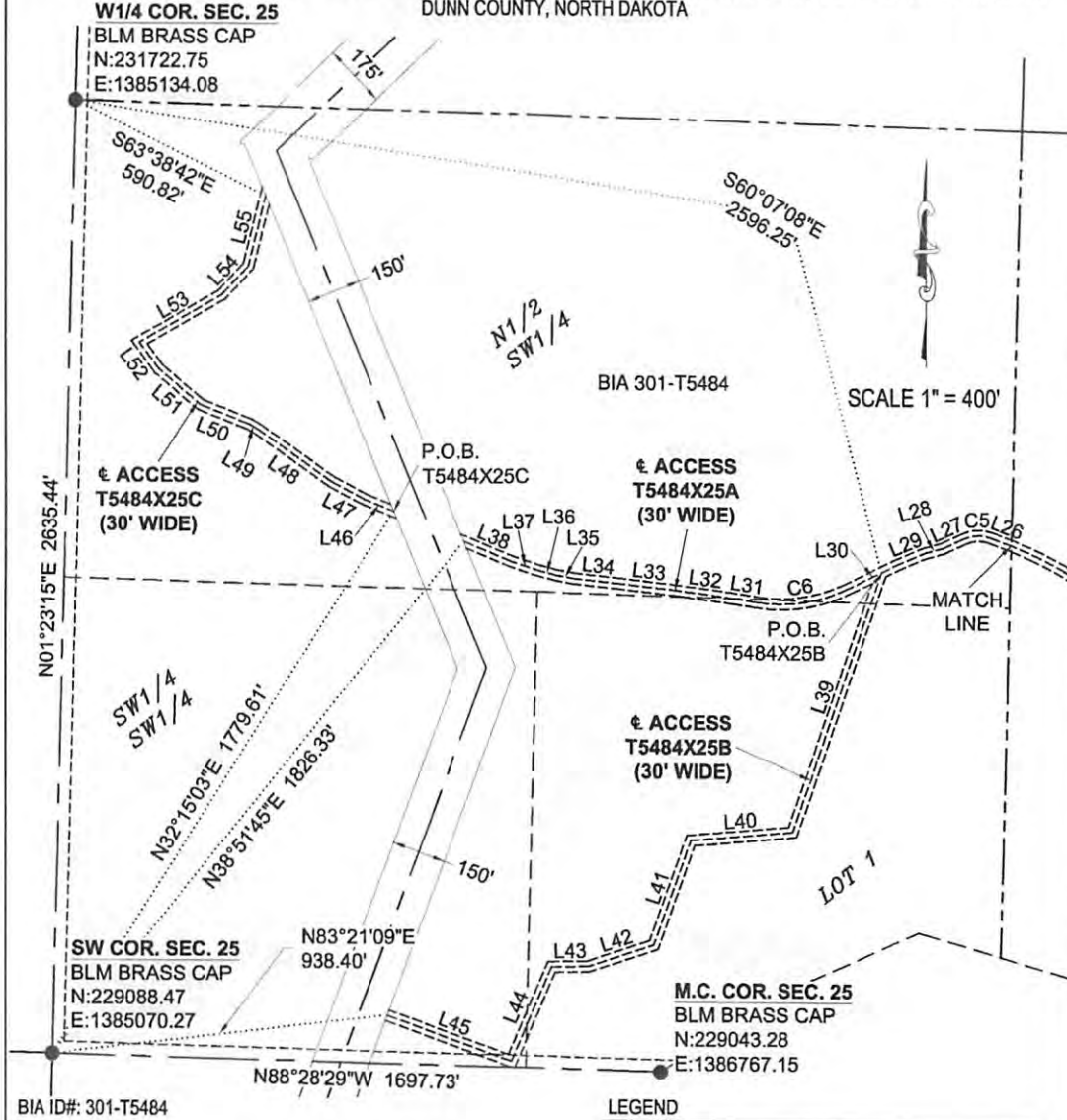
Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5484

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



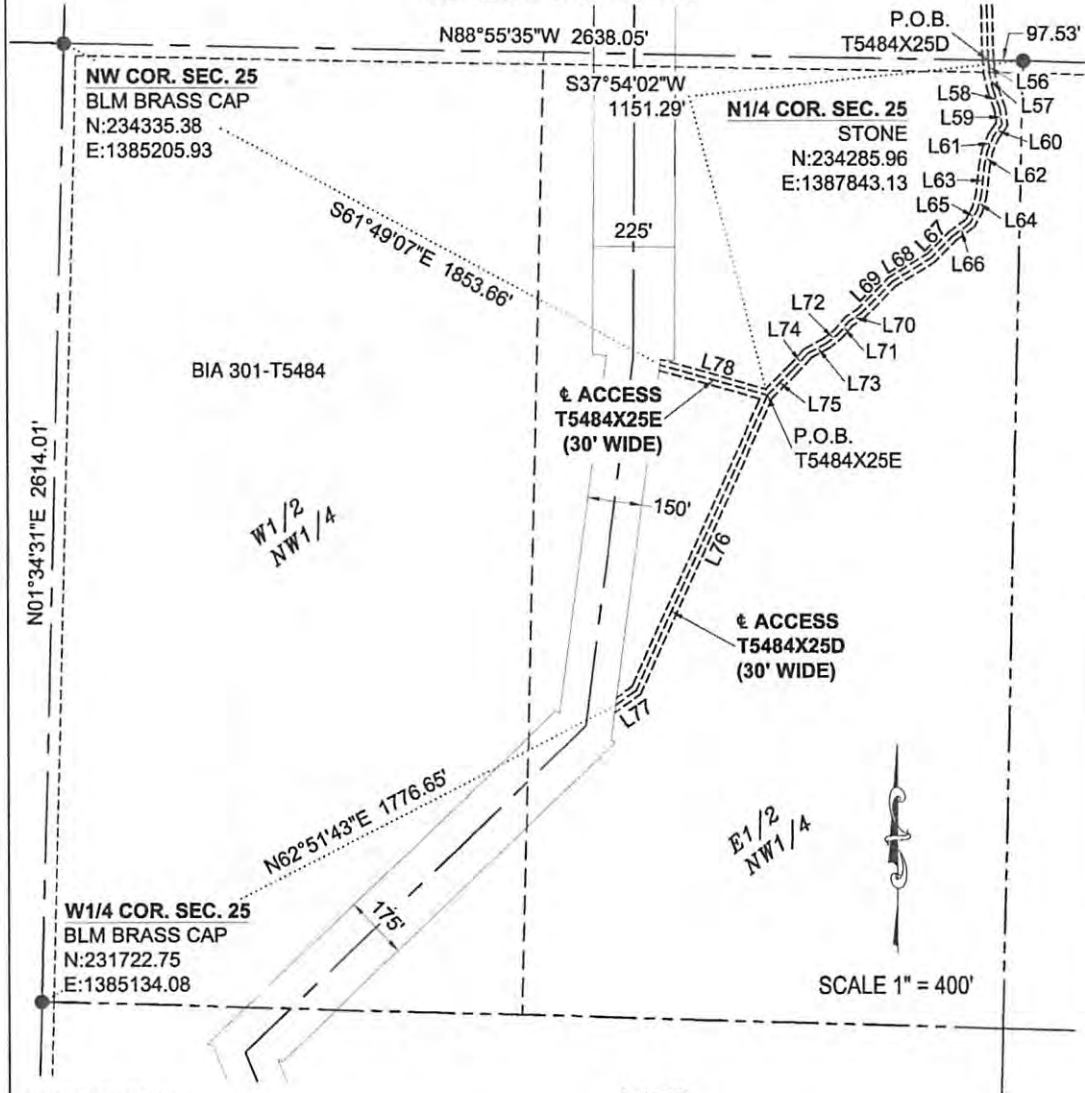
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Robert J. Kohler
ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5484

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, DUNN COUNTY, NORTH DAKOTA



BIA ID#: 301-T5484

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

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[Handwritten Signature]

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5484 LINE/CURVE TABLES

PART OF LOT 1, LOT 2, THE EAST HALF OF THE NORTHWEST QUARTER (E1/2NW1/4), THE NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER (NW1/4SE1/4), THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4), THE SOUTHWEST
QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4), THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2SE1/4), THE
WEST HALF OF THE NORTHWEST QUARTER (W1/2NW1/4) AND THE NORTH HALF OF THE NORTHEAST QUARTER
(N1/2NE1/4) IN SECTION 25 TOWNSHIP 148 NORTH, RANGE 96 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION,
DUNN COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	N49°05'50"W	40.25'
L2	N39°44'17"W	126.76'
L3	N51°15'36"W	50.71'
L4	N66°42'29"W	153.47'
L5	N61°02'18"W	130.39'
L6	N64°46'46"W	56.78'
L7	S74°49'45"W	179.68'
L8	S72°59'34"W	231.95'
L9	S38°11'02"W	65.18'
L10	N49°47'22"W	41.03'
L11	N32°35'06"W	50.83'
L12	N22°13'47"W	76.13'
L13	N62°24'31"W	84.51'
L14	N53°39'03"W	50.34'
L15	N48°01'18"W	77.93'
L16	N53°21'06"W	77.00'
L17	N59°04'45"W	207.06'
L18	N56°42'24"W	133.73'
L19	N53°50'35"W	179.83'
L20	N53°35'56"W	128.38'
L21	N55°43'42"W	77.21'
L22	N54°08'23"W	130.07'
L23	N57°19'34"W	102.43'
L24	N62°48'30"W	77.42'
L25	N66°44'24"W	75.89'
L26	N69°43'42"W	62.72'
L27	S65°08'59"W	63.66'
L28	S74°37'31"W	52.73'
L29	S66°58'28"W	78.20'
L30	S63°55'23"W	159.11'
L31	N81°32'20"W	74.97'
L32	N82°26'10"W	160.08'
L33	N83°34'02"W	155.04'
L34	N84°00'04"W	129.69'
L35	N80°15'16"W	50.84'
L36	N75°59'56"W	52.16'
L37	N71°39'47"W	77.08'
L38	N66°55'08"W	146.63'

LINE	BEARING	DISTANCE
L39	S18°57'18"W	763.61'
L40	S85°08'27"W	286.02'
L41	S19°31'21"W	308.46'
L42	S71°53'53"W	190.98'
L43	S88°36'15"W	104.91'
L44	S23°21'27"W	283.90'
L45	N69°55'21"W	370.26'
L46	N67°55'12"W	86.85'
L47	N62°26'19"W	101.39'
L48	N55°09'56"W	255.07'
L49	N60°24'39"W	25.56'
L50	N68°32'29"W	145.96'
L51	N50°18'46"W	151.00'
L52	N36°23'12"W	90.58'
L53	N60°25'46"E	263.65'
L54	N42°46'29"E	109.37'
L55	N13°39'48"E	202.04'
L56	S04°53'27"E	36.65'
L57	S12°54'43"E	41.45'
L58	S19°49'10"E	60.94'
L59	S06°45'13"E	40.73'
L60	S35°37'36"W	40.77'
L61	S23°01'33"W	41.35'
L62	S11°58'55"W	41.34'
L63	S06°21'36"W	82.74'
L64	S15°10'46"W	40.93'
L65	S28°50'01"W	40.44'
L66	S53°17'47"W	61.28'
L67	S45°09'15"W	82.15'
L68	S58°41'54"W	124.24'
L69	S45°31'42"W	123.65'
L70	S56°56'08"W	41.06'
L71	S40°08'24"W	40.98'
L72	S51°52'44"W	40.85'
L73	S61°08'11"W	61.61'
L74	S43°13'11"W	62.68'
L75	S45°34'27"W	95.29'
L76	S24°19'30"W	883.69'
L77	S55°20'45"W	69.48'
L78	N74°27'14"W	307.68'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	229.11'	325.00'	40°23'29"	N84°58'30"W	224.40'
C2	91.13'	150.00'	34°48'33"	S55°35'18"W	89.73'
C3	136.52'	85.00'	92°01'36"	S84°11'50"W	122.31'
C4	70.12'	100.00'	40°10'43"	N42°19'09"W	68.70'
C5	78.75'	100.00'	45°07'19"	S87°42'38"W	76.73'
C6	256.19'	425.00'	34°32'17"	S81°11'31"W	252.33'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

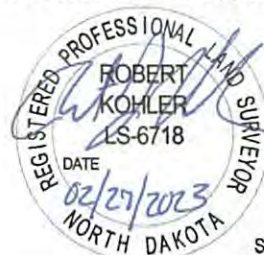


EXHIBIT A - BIA ID# 301-T5488 DESCRIPTION

THE SOUTH HALF (S1/2) OF SECTION 33 TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

TRANSMISSION LINE DESCRIPTION - BIA ID# 301-T5488 (SEE PAGE 2 OF 5):

A 150.00 FOOT WIDE STRIP OF LAND LOCATED IN PART OF THE SOUTH HALF (S1/2) OF SECTION 33, TOWNSHIP 149 NORTH, RANGE 95 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA. SAID STRIP HAVING 75.00 FEET LYING ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

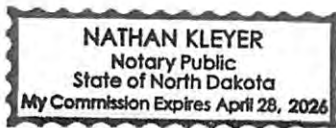
COMMENCING AT THE FOUND STONE AT THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE S88°11'32"E ALONG THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 1253.19 FEET TO THE POINT OF BEGINNING; THENCE N48°17'09"E A DISTANCE OF 1914.88 FEET TO THE EAST LINE OF SAID SECTION 33 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N02°03'10" E A DISTANCE OF 1318.66 FEET FROM THE 2 INCH ALUMINUM CAP MARKED LS-3214 AT THE SOUTHEAST CORNER OF SAID SECTION 33.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1914.88 FEET (116.05 RODS) IN LENGTH. SAID STRIP CONTAINS 6.59 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



[Signature]
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

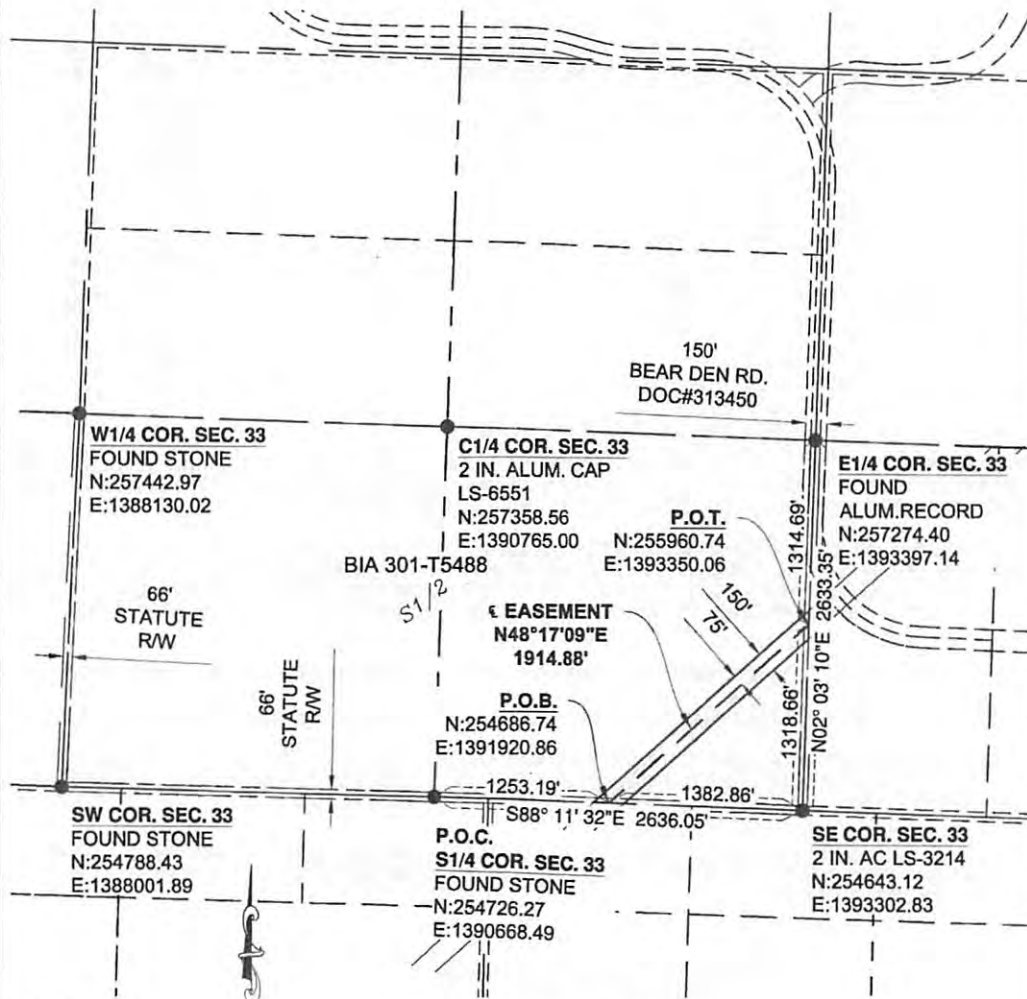
[Signature]

ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5488

THE SOUTH HALF (S1/2) OF SECTION 33
 TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA



BIA ID#: 301-T5488
 BEPC: 366-301-T5488

LEGEND
 ● FOUND MONUMENT (AS NOTED)

SCALE 1" = 1000'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

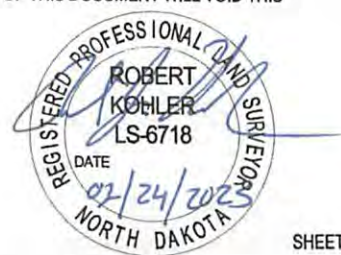


EXHIBIT B - BIA ID# 301-T5488 DESCRIPTION

THE SOUTH HALF (S1/2) OF SECTION 33, TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA

ACCESS T5488X33A DESCRIPTION (SEE PAGE 4 OF 5):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTH HALF (S1/2) OF SECTION 33, TOWNSHIP 149 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE N88°39'53"W ALONG THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 37.11 FEET TO THE POINT OF BEGINNING; THENCE N12°45'40"W A DISTANCE OF 145.63 FEET; THENCE N05°18'00"W A DISTANCE OF 124.88 FEET; THENCE N08°20'21"W A DISTANCE OF 188.73 FEET; THENCE N05°21'35"W A DISTANCE OF 248.40 FEET; THENCE N03°41'24"W A DISTANCE OF 104.52 FEET; THENCE N07°55'01"W A DISTANCE OF 61.68 FEET; THENCE N46°17'41"E A DISTANCE OF 361.19 FEET; THENCE N46°27'04"E A DISTANCE OF 254.87 FEET; THENCE N47°54'48"E A DISTANCE OF 301.23 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 390.53 FEET, A RADIUS OF 1000.00 FEET, A DELTA ANGLE OF 22°22'33", A CHORD BEARING OF N36°43'32"E, AND A CHORD LENGTH OF 388.06 FEET; THENCE N25°32'15"E A DISTANCE OF 65.57 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC LENGTH OF 159.39 FEET, A RADIUS OF 125.00 FEET, A DELTA ANGLE OF 73°03'34", A CHORD BEARING OF N62°04'02"E, AND A CHORD LENGTH OF 148.81 FEET; THENCE S81°24'11"E A DISTANCE OF 190.18 FEET; THENCE S79°12'17"E A DISTANCE OF 993.91 FEET; THENCE S78°34'15"E A DISTANCE OF 368.37 FEET; THENCE S79°00'48"E A DISTANCE OF 129.44 FEET; THENCE ON A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC LENGTH OF 133.17 FEET, A RADIUS OF 200.00 FEET, A DELTA ANGLE OF 38°08'58", A CHORD BEARING OF N81°54'43"E, AND A CHORD LENGTH OF 130.72 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION 33 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S02°03'10"W A DISTANCE OF 909.29 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 33.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 4221.69 FEET (255.86 RODS) IN LENGTH. SAID STRIP CONTAINS 2.91 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ACCESS T5488X33B DESCRIPTION (SEE PAGE 4 OF 5):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTH HALF (S1/2) OF SECTION 33, TOWNSHIP 149 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE S11°53'59"W A DISTANCE OF 941.10 FEET TO THE POINT OF BEGINNING; THENCE S09°25'22"W A DISTANCE OF 54.09 FEET; THENCE S03°50'35"W A DISTANCE OF 270.90 FEET; THENCE S08°09'34"W A DISTANCE OF 143.54 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N06°44'20"W A DISTANCE OF 1253.72 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 33.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 468.53 FEET (28.40 RODS) IN LENGTH. SAID STRIP CONTAINS 0.32 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

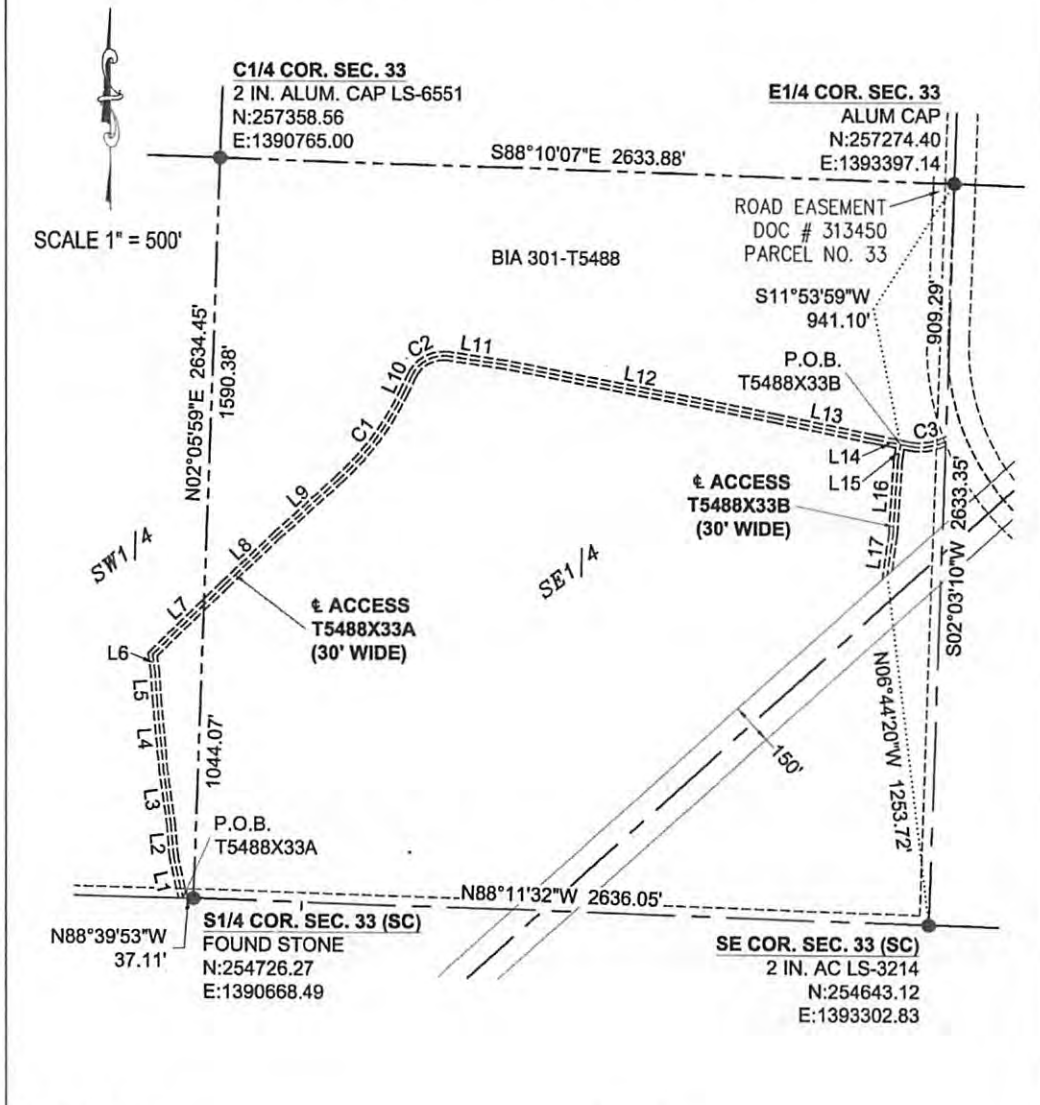


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT B - BIA ID# 301-T5488

THE SOUTH HALF (S1/2) OF SECTION 33, TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA



BIA ID#: 301-T5488

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

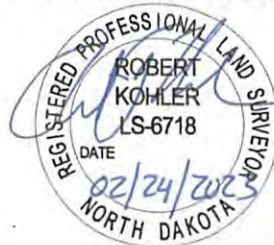


EXHIBIT B - BIA ID# 301-T5488 LINE/CURVE TABLES

THE SOUTH HALF (S1/2) OF SECTION 33, TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD
INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA

LINE	BEARING	DISTANCE
L1	N12°45'40"W	145.63'
L2	N05°18'00"W	124.88'
L3	N08°20'21"W	188.73'
L4	N05°21'35"W	248.40'
L5	N03°41'24"W	104.52'
L6	N07°55'01"W	61.68'
L7	N46°17'41"E	361.19'
L8	N46°27'04"E	254.87'
L9	N47°54'48"E	301.23'
L10	N25°32'15"E	65.57'
L11	S81°24'11"E	190.18'
L12	S79°12'17"E	993.91'
L13	S78°34'15"E	368.37'
L14	S79°00'48"E	129.44'
L15	S09°25'22"W	54.09'
L16	S03°50'35"W	270.90'
L17	S08°09'34"W	143.54'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	390.53'	1000.00'	22°22'33"	N36°43'32"E	388.06'
C2	159.39'	125.00'	73°03'34"	N62°04'02"E	148.81'
C3	133.17'	200.00'	38°08'58"	N81°54'43"E	130.72'

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.



ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5489 DESCRIPTION

PART OF THE SOUTH HALF (S1/2) IN SECTION 34, TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Linear Feet	Acres	Transmission Easement			Access Easement(s)	
				Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

TRANSMISSION LINE DESCRIPTION - BIA ID# 301-T5489 (SEE PAGE 2 OF 5):

A 150.00 FOOT WIDE STRIP OF LAND LOCATED IN PART OF THE SOUTH HALF (S1/2) OF SECTION 34, TOWNSHIP 149 NORTH, RANGE 95 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA. SAID STRIP HAVING 75.00 FEET LYING ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

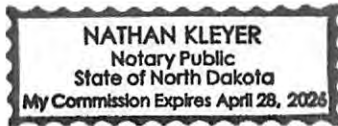
COMMENCING AT THE 2 INCH ALUMINUM CAP MARKED LS-3214 AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N02°03'10"E ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 1318.66 FEET TO THE POINT OF BEGINNING; THENCE N48°17'09"E A DISTANCE OF 1910.89 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 34 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S88°14'34"E A DISTANCE OF 1379.99 FEET FROM THE ALUMINUM CAP AT THE WEST QUARTER CORNER OF SAID SECTION 34.

SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 1910.89 FEET (115.81 RODS) IN LENGTH. SAID STRIP CONTAINS 6.58 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ON THIS 27th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.



Nathan Kleyer
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

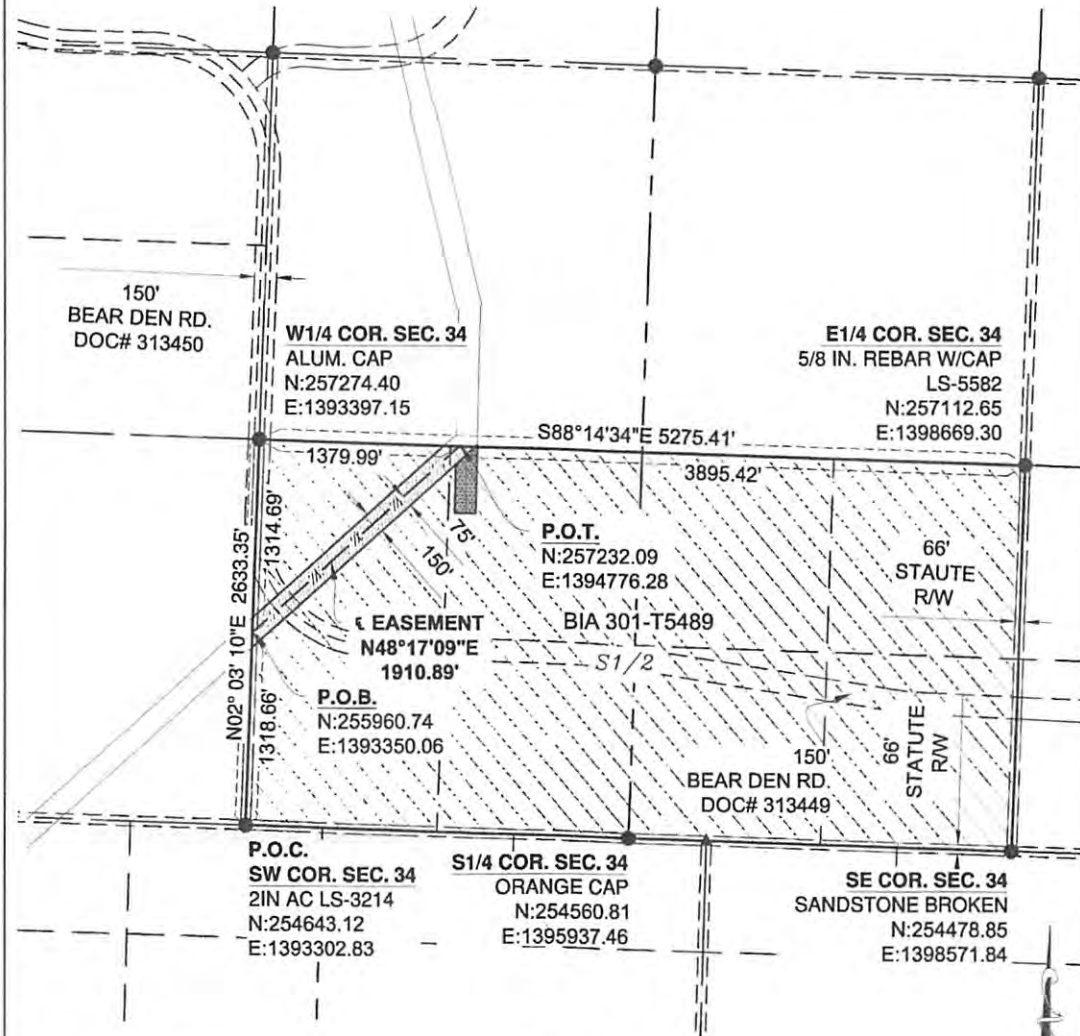
Robert J. Kohler

ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT A - BIA ID# 301-T5489

PART OF THE SOUTH HALF (S1/2) IN SECTION 34 TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA



BIA ID#: 301-T5489
BEPC: 366-301-T5489

LEGEND

- FOUND MONUMENT (AS NOTED)
- ▲ CALCULATED CORNER

SCALE 1" = 1000'

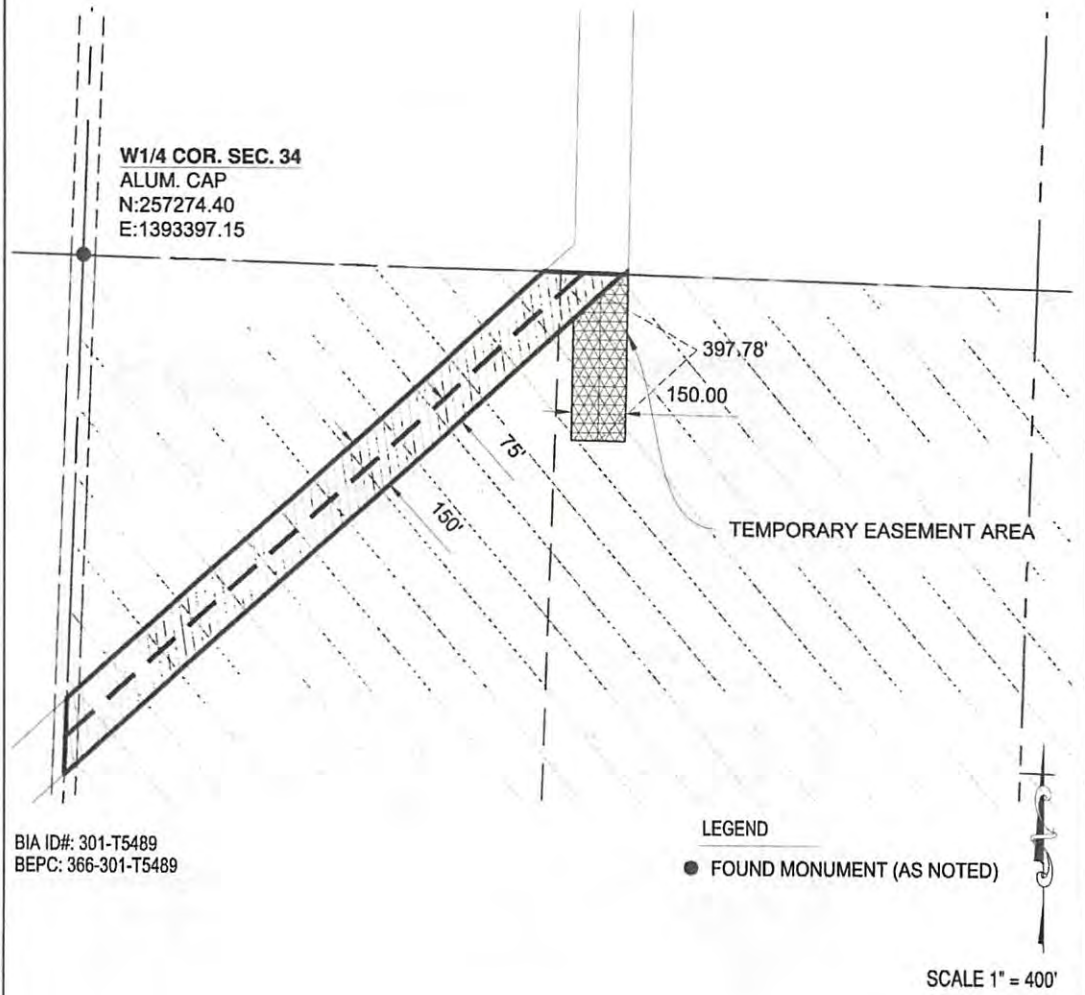
I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT B - BIA ID# 301-T5489 TEMPORARY EASEMENTS

PART OF THE SOUTH HALF (S1/2) IN SECTION 34 TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA



BIA ID#: 301-T5489
BEPC: 366-301-T5489

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

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BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5489 DESCRIPTION

PART OF THE SOUTH HALF (S1/2) IN SECTION 34, TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA

ACCESS T5489X34A DESCRIPTION (SEE PAGE 5 OF 5):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 34, TOWNSHIP 149 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SW1/4; THENCE N47°59'50"E A DISTANCE OF 1813.37 FEET TO THE POINT OF BEGINNING, SAID POINT BEING LOCATED ON THE CENTERLINE OF BEAR DEN ROAD PER DOCUMENT NUMBER 313450; THENCE N00°20'45"E A DISTANCE OF 90.07 FEET; THENCE N87°38'01"W A DISTANCE OF 125.00 FEET; THENCE N49°38'30"W A DISTANCE OF 721.21 FEET, MORE OR LESS, TO THE SOUTHEASTERLY LINE OF THE PROPOSED 150.00 FOOT TRANSMISSION LINE EASEMENT AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS S34°05'21"E A DISTANCE OF 1033.56 FEET FROM THE NORTHWEST CORNER OF SAID SW1/4.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 936.28 FEET (56.74 RODS) IN LENGTH. SAID STRIP CONTAINS 0.64 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

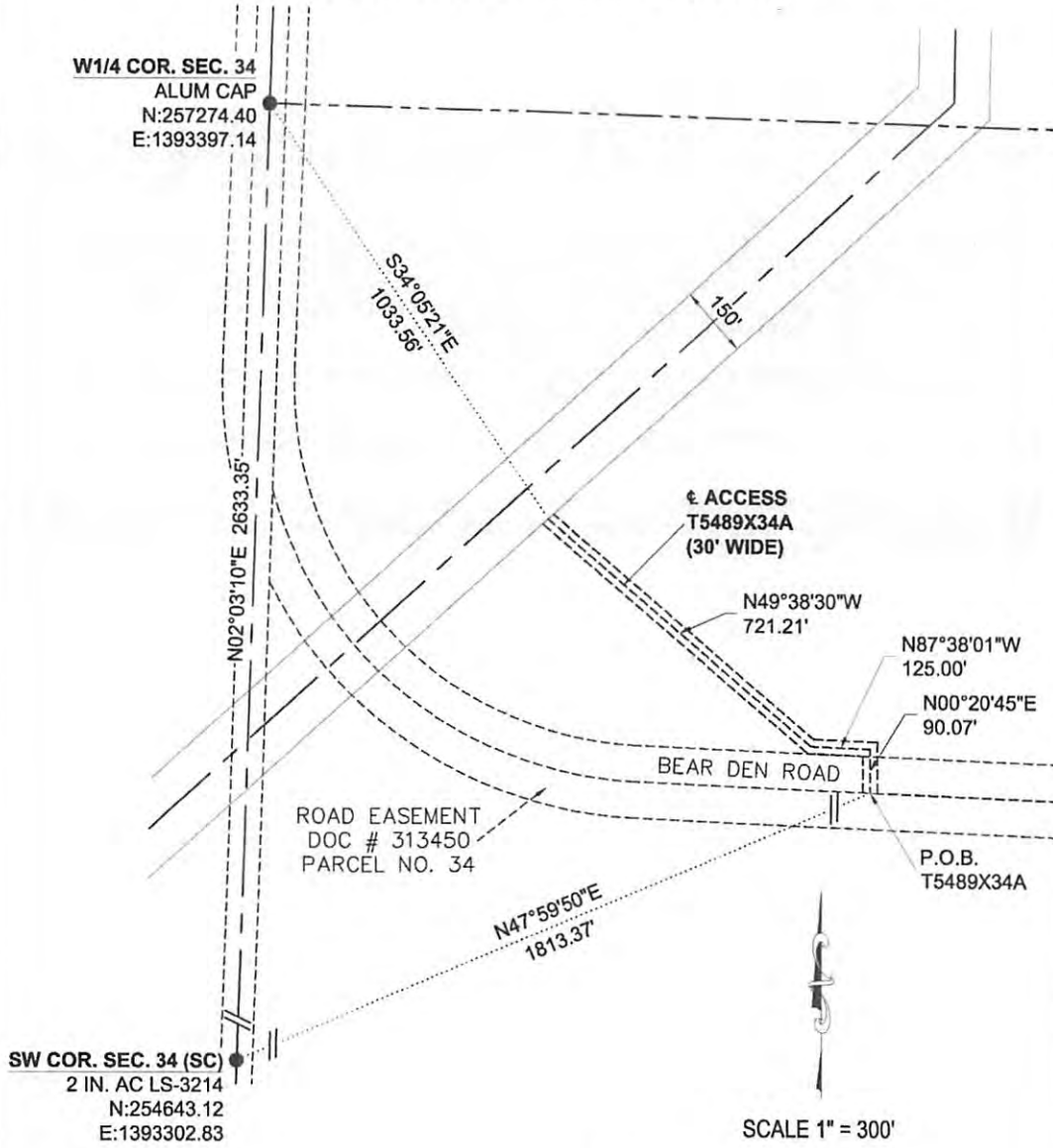


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



EXHIBIT C - BIA ID# 301-T5489 DESCRIPTION

PART OF THE SOUTH HALF (S1/2) IN SECTION 34, TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION, MCKENZIE COUNTY, NORTH DAKOTA



BIA ID#: 301-T5489

LEGEND

- FOUND MONUMENT
- ▲ CALCULATED CORNER

I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.

Robert J. Kohler
 ROBERT J. KOHLER, PLS LS-6718
 BASIN ELECTRIC POWER COOPERATIVE
 1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503

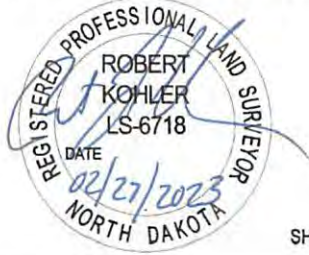


EXHIBIT A - BIA ID# 301-T5490

PART OF THE EAST HALF (E1/2) AND THE SOUTHWEST QUARTER (SW1/4) IN SECTION 35
TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION
McKENZIE COUNTY, NORTH DAKOTA

Twp-Rng-Sec	MHA Tract #	Transmission Easement				Access Easement(s)		
		Linear Feet	Acres	Easement Width	Structures	Temporary Construction (Acres)	Linear Feet	Acres
149-95-34	T5489	1,910.89	6.58	150'	1	1.4	936.28	0.64
149-95-33	T5488	1,914.88	6.59	150'	2	0	4,690.22	3.23
148-96-01	T5477	1,992.87	9.16	Varies: 150' up to 350'	2	2.9	1,356.54	0.93
148-95-06	T5463	3,478.00	20.15	Varies: 150' up to 350'	2	0	714.50	0.49
148-95-07	T5464	5,818.63	21.72	Varies: 150' up to 200'	6	2.9	12,803.08	8.82
148-96-12	T5479	1,117.26	3.85	150'	2	0	3,216.15	2.21
148-96-13	T5480	6,551.10	22.56	150'	7	2.8	10,262.46	7.07
148-96-24	T5483	5,509.50	21.96	Varies: 150' up to 225'	5	3.2	3,681.18	2.54
148-96-25	T5484	5,840.20	22.27	Varies: 150' up to 225'	6	5.6	10,995.35	7.57
149-95-35	T5490	NA	NA				992.12	0.68
148-95-05	T5462	NA	NA				6,152.55	4.24
148-95-18	T5468	NA	NA				3,607.84	2.48
148-95-19	T5469	NA	NA				6,639.57	4.57
148-95-20	T5470	NA	NA				78.29	0.05
148-95-29	T5472	NA	NA				4,186.01	2.88
148-95-30	T5473	NA	NA				3,334.12	2.30
148-95-31	T5474	NA	NA				1,922.85	1.32
148-96-23	T5482	NA	NA				2,825.43	1.95
TOTALS		34,133.32	134.83				78,394.50	53.99

ACCESS T5490X35A DESCRIPTION (SEE PAGE 2 OF 2):

A 30.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SECTION 35, TOWNSHIP 149 NORTH, RANGE 95 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FORT BERTHOLD INDIAN RESERVATION, McKENZIE COUNTY, NORTH DAKOTA. THE SIDE LINES OF SAID STRIP LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SW1/4SW1/4; THENCE S88°13'34"E ALONG THE SOUTH LINE OF SAID SW1/4SW1/4 A DISTANCE OF 273.95 FEET TO THE POINT OF BEGINNING; THENCE N11°48'37"E A DISTANCE OF 54.29 FEET; THENCE N12°02'56"E A DISTANCE OF 756.34 FEET; THENCE N08°18'50"E A DISTANCE OF 181.49 FEET, MORE OR LESS, TO THE CENTERLINE OF A ROAD EASEMENT PER DOCUMENT NUMBER 313449 AND THEREBY TERMINATING. SAID POINT OF TERMINATION BEARS N64°16'13"W A DISTANCE OF 2408.60 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 35.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO MEET AT ANGLE POINTS AND TO INTERSECT WITH PROPERTY, EASEMENT AND SECTION LINES.

THE ABOVE DESCRIBED STRIP BEING 992.12 FEET (60.13 RODS) IN LENGTH. SAID STRIP CONTAINS 0.68 ACRES, MORE OR LESS.

BEARINGS AND COORDINATES ARE BASED ON NAD 83 (2011), NORTH DAKOTA STATE PLANE, NORTH ZONE, INTERNATIONAL FEET AND ARE SHOWN IN GRID VALUES. ALL DISTANCES SHOWN HAVE BEEN ADJUSTED TO GROUND VALUES WITH A COMBINED SCALE FACTOR OF 0.99985172.

ON THIS 24th DAY OF Feb, 2023, BEFORE ME PERSONALLY APPEARED ROBERT J. KOHLER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NATHAN KLEYER
Notary Public
State of North Dakota
My Commission Expires April 28, 2026


NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

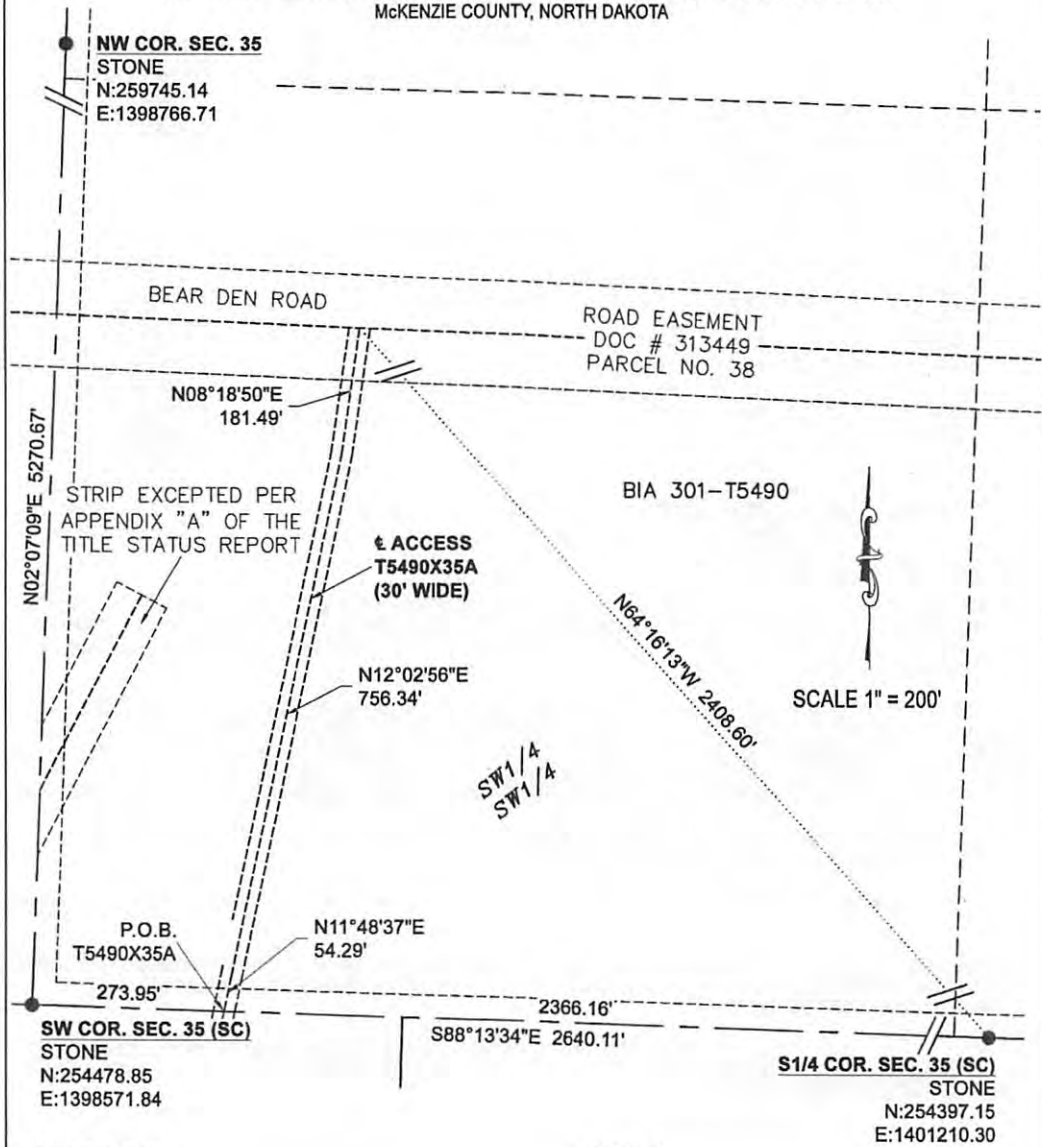
I, ROBERT J. KOHLER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY, DRAWING AND LEGAL DESCRIPTION WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE. ANY ALTERATION OF THIS DOCUMENT WILL VOID THIS CERTIFICATION.


ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503


REGISTERED PROFESSIONAL LAND SURVEYOR
ROBERT KOHLER
LS-6718
DATE 02/24/2023
NORTH DAKOTA

EXHIBIT A - BIA ID# 301-T5490

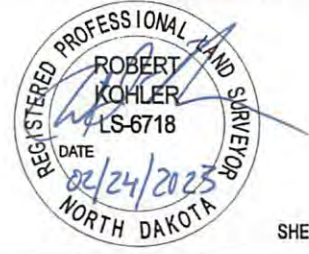
PART OF THE EAST HALF (E1/2) AND THE SOUTHWEST QUARTER (SW1/4) IN SECTION 35
TOWNSHIP 149 NORTH, RANGE 95 WEST, 5TH P.M., FORT BERTHOLD INDIAN RESERVATION
MCKENZIE COUNTY, NORTH DAKOTA



BIA ID#: 301-T5490

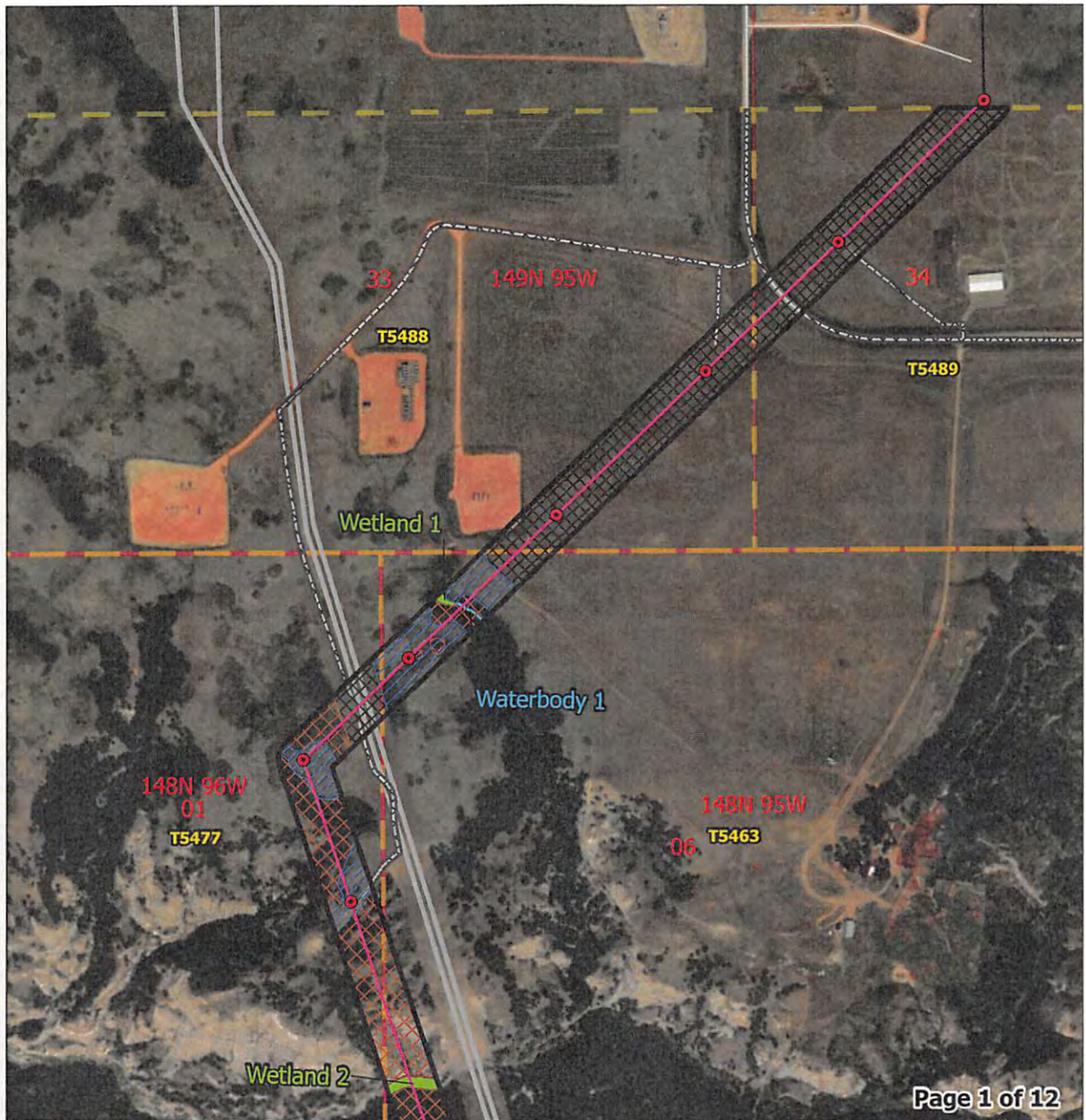
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Robert J. Kohler
ROBERT J. KOHLER, PLS LS-6718
BASIN ELECTRIC POWER COOPERATIVE
1717 E. INTERSTATE AVENUE, BISMARCK, ND 58503



Appendix B

Field Survey Maps



<p>Roundup to Kummer Ridge Transmission Line Project MCKENZIE AND DUNN COUNTIES</p>		<p>Proposed Project (Federal Land)</p> <p>Proposed Project (Private Land)</p> <p>Access Road</p> <p>Existing Overhead Transmission Line</p> <p>Existing Oil/Gas Pipeline</p>		<p>ROW Survey Area (300-Feet)</p> <p>Access Road Survey Area (30-Feet)</p> <p>Tribal Tract</p> <p>BLM</p> <p>USACE</p> <p>Structure</p>		<p>Habitat Assessment</p> <p>Habitat 1</p> <p>Habitat 2</p> <p>Habitat 3</p> <p>Habitat 4</p> <p>Habitat 5 (potential DASK)</p> <p>Habitat 6</p> <p>Habitat 7</p>		<p>Habitat 8 (potential DASK)</p> <p>Previously Disturbed</p> <p>Woody Vegetation</p> <p>Waterbody</p> <p>Wetland</p>	
<p>Scale: 0 to 0.3 km / 0 to 0.3 mi</p> <p>North Arrow</p>		<p>Data Source: World Topo</p> <p>Coordinate System: NAD 1983 UTM Zone 13N</p> <p>Date: 7/26/2023 Author: C. Tucker</p>							



Roundup to Kummer Ridge Transmission Line Project
 MCKENZIE AND DUNN COUNTIES

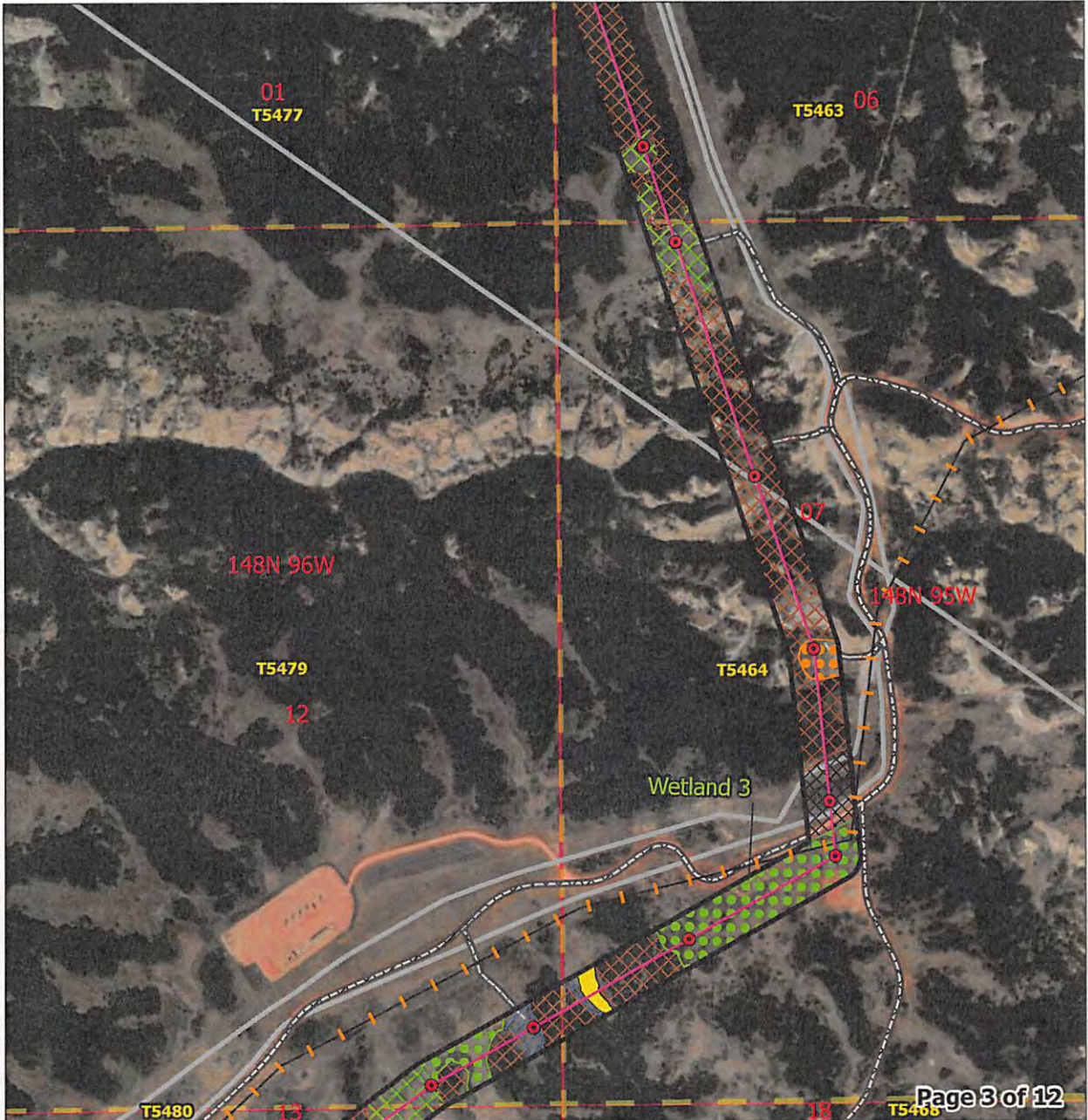
Legend

<ul style="list-style-type: none"> — Proposed Project (Federal Land) — Proposed Project (Private Land) — Access Road + Existing Overhead Transmission Line — Existing Oil/Gas Pipeline 	<ul style="list-style-type: none"> ROW Survey Area (300-Foot) Access Road Survey Area (30-Foot) Tribal Tract BLM USACE ● Structure 	<p>Habitat Assessment</p> <ul style="list-style-type: none"> Habitat 1 Habitat 2 Habitat 3 Habitat 4 Habitat 5 (potential DASK) Habitat 6 Habitat 7 	<ul style="list-style-type: none"> Habitat 8 (potential DASK) Previously Disturbed Woody Vegetation Waterbody Wetland
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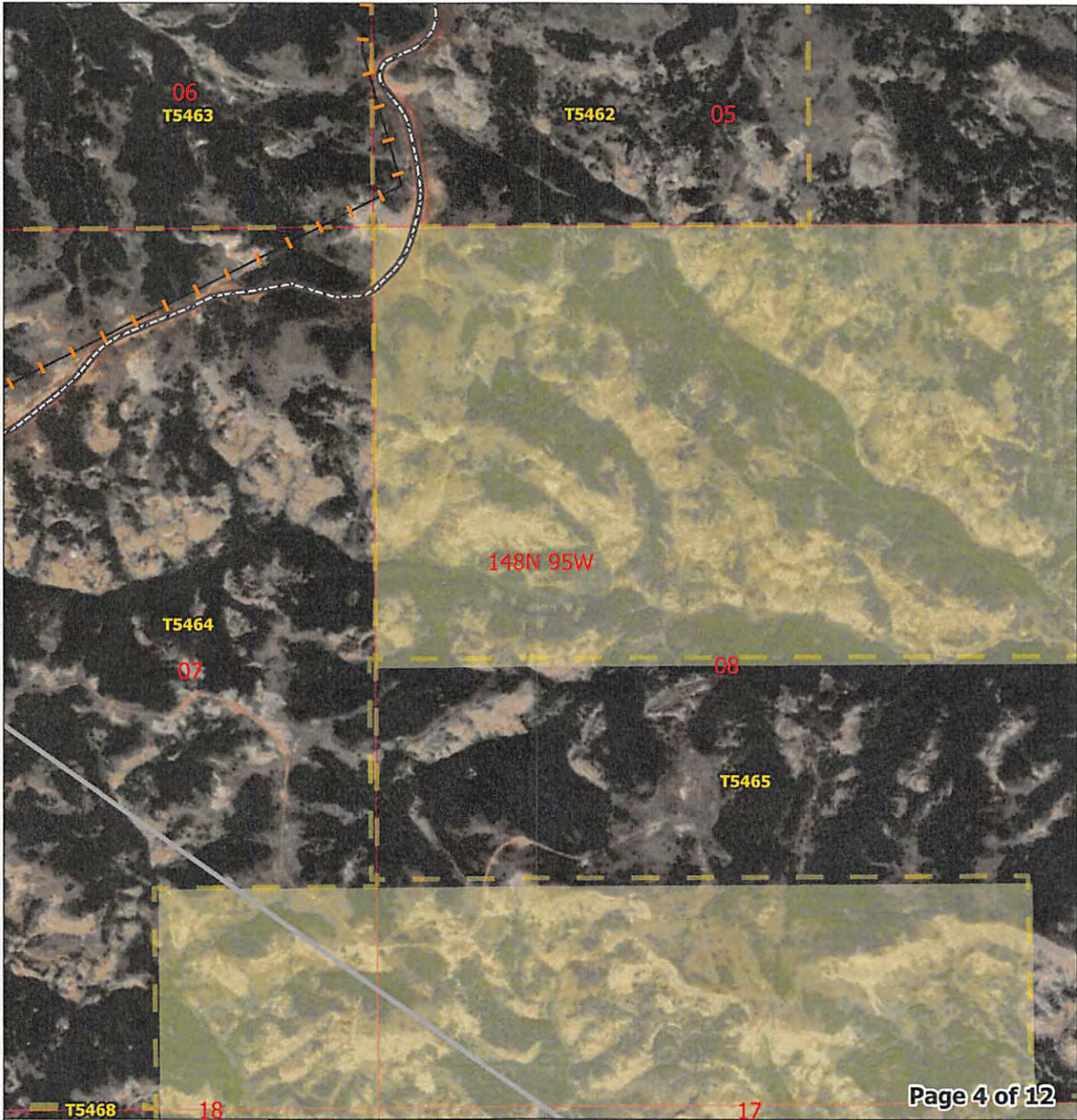
Scale: 0 0.08 0.2 0.2 mi / 0 0.1 0.2 0.3 km

Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 7/26/2023 **Author:** C. Tucker

WEST



<p>Roundup to Kummer Ridge Transmission Line Project MCKENZIE AND DUNN COUNTIES</p>		<p>Proposed Project (Federal Land)</p> <p>Proposed Project (Private Land)</p> <p>Access Road</p> <p>Existing Overhead Transmission Line</p> <p>Existing Oil/Gas Pipeline</p>		<p>ROW Survey Area (300-Feet)</p> <p>Access Road Survey Area (30-Feet)</p> <p>Tribal Tract</p> <p>BLM</p> <p>USACE</p> <p>Structure</p>		<p>Habitat Assessment</p> <p>Habitat 1</p> <p>Habitat 2</p> <p>Habitat 3</p> <p>Habitat 4</p> <p>Habitat 5 (potential DASK)</p> <p>Habitat 6</p> <p>Habitat 7</p>		<p>Habitat 8 (potential DASK)</p> <p>Previously Disturbed</p> <p>Woody Vegetation</p> <p>Waterbody</p> <p>Wetland</p>	
				<p>Data Source: World Topo</p> <p>Coordinate System: NAD 1983 UTM Zone 13N</p> <p>Date: 7/26/2023 Author: C. Tucker</p>					



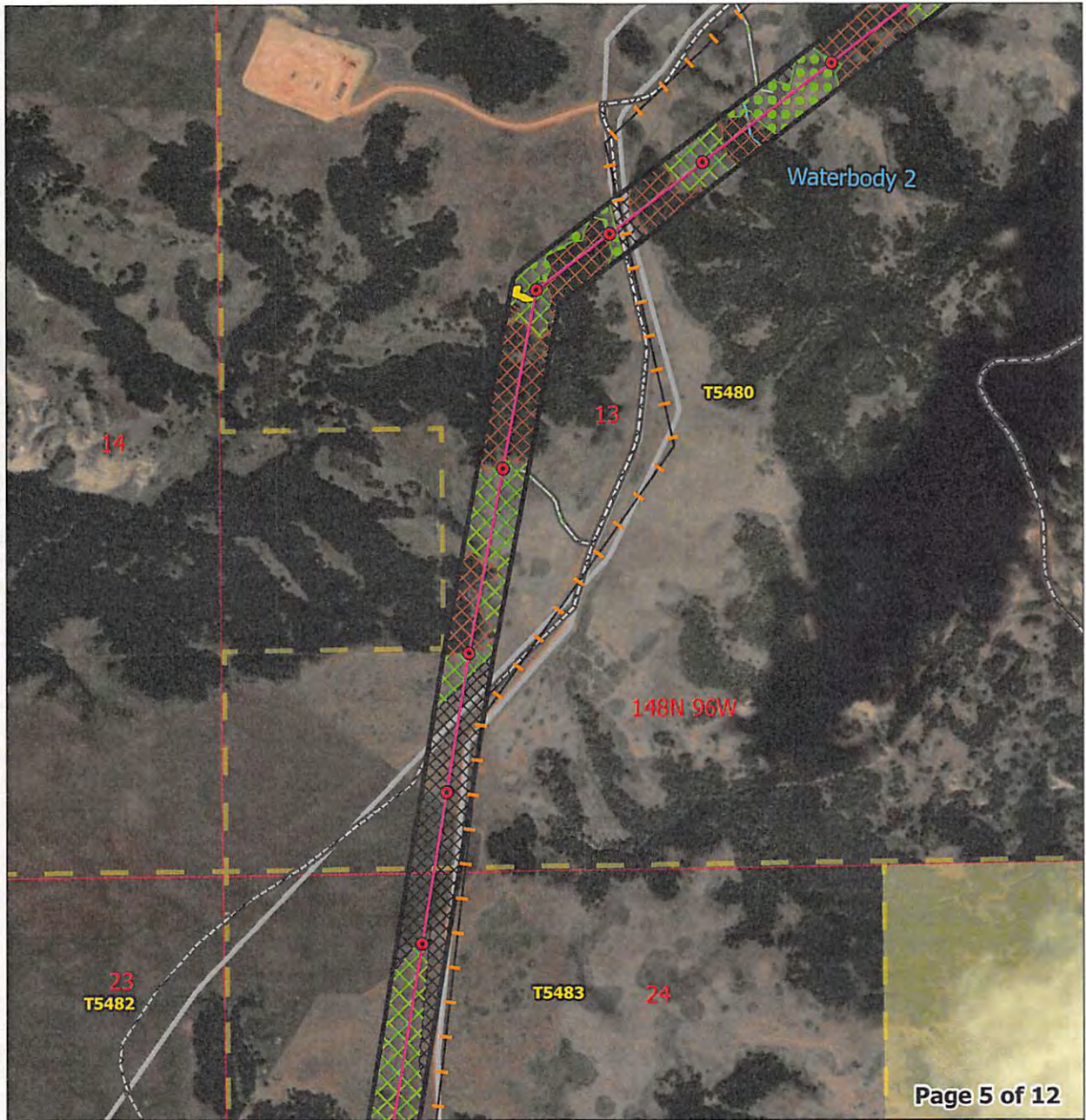
Roundup to Kummer Ridge Transmission Line Project
MCKENZIE AND DUNN COUNTIES

<ul style="list-style-type: none"> — Proposed Project (Federal Land) — Proposed Project (Private Land) — Access Road + Existing Overhead Transmission Line — Existing Oil/Gas Pipeline 	<ul style="list-style-type: none"> ROW Survey Area (300-Feet) Access Road Survey Area (30-Feet) Tribal Tract BLM USACE ● Structure 	<p>Habitat Assessment</p> <ul style="list-style-type: none"> Habitat 1 Habitat 2 Habitat 3 Habitat 4 Habitat 5 (potential DASK) Habitat 6 Habitat 7 	<ul style="list-style-type: none"> Habitat 8 (potential DASK) Previously Disturbed Woody Vegetation Waterbody Wetland
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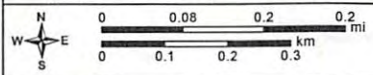
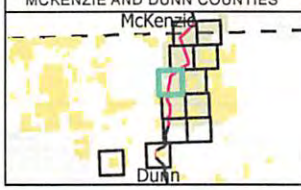
N
 W — E
 S

0 0.08 0.2 0.2 mi
 0 0.1 0.2 0.3 km

Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 7/28/2023 Author: C. Tucker

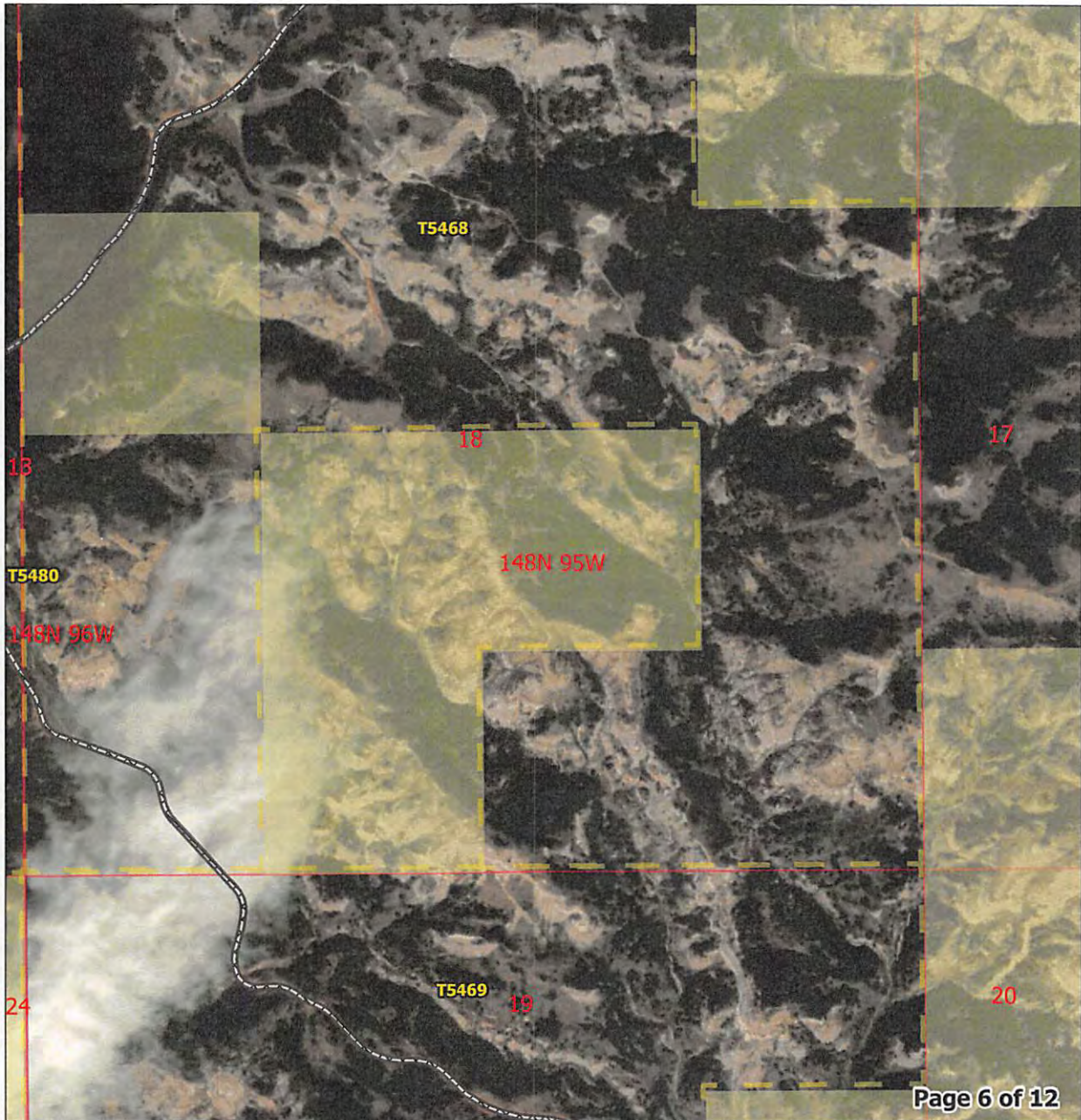


<p>Roundup to Kummer Ridge Transmission Line Project MCKENZIE AND DUNN COUNTIES</p>		<p>Habitat Assessment</p>	
<p>Proposed Project (Federal Land)</p>	<p>ROW Survey Area (300-Feet)</p>	<p>Habitat 1</p>	<p>Habitat 8 (potential DASK)</p>
<p>Proposed Project (Private Land)</p>	<p>Access Road Survey Area (30-Feet)</p>	<p>Habitat 2</p>	<p>Previously Disturbed</p>
<p>Access Road</p>	<p>Tribal Tract</p>	<p>Habitat 3</p>	<p>Woody Vegetation</p>
<p>Existing Overhead Transmission Line</p>	<p>BLM</p>	<p>Habitat 4</p>	<p>Waterbody</p>
<p>Existing Oil/Gas Pipeline</p>	<p>USACE</p>	<p>Habitat 5 (potential DASK)</p>	<p>Wetland</p>
<p>Structure</p>		<p>Habitat 6</p>	
		<p>Habitat 7</p>	

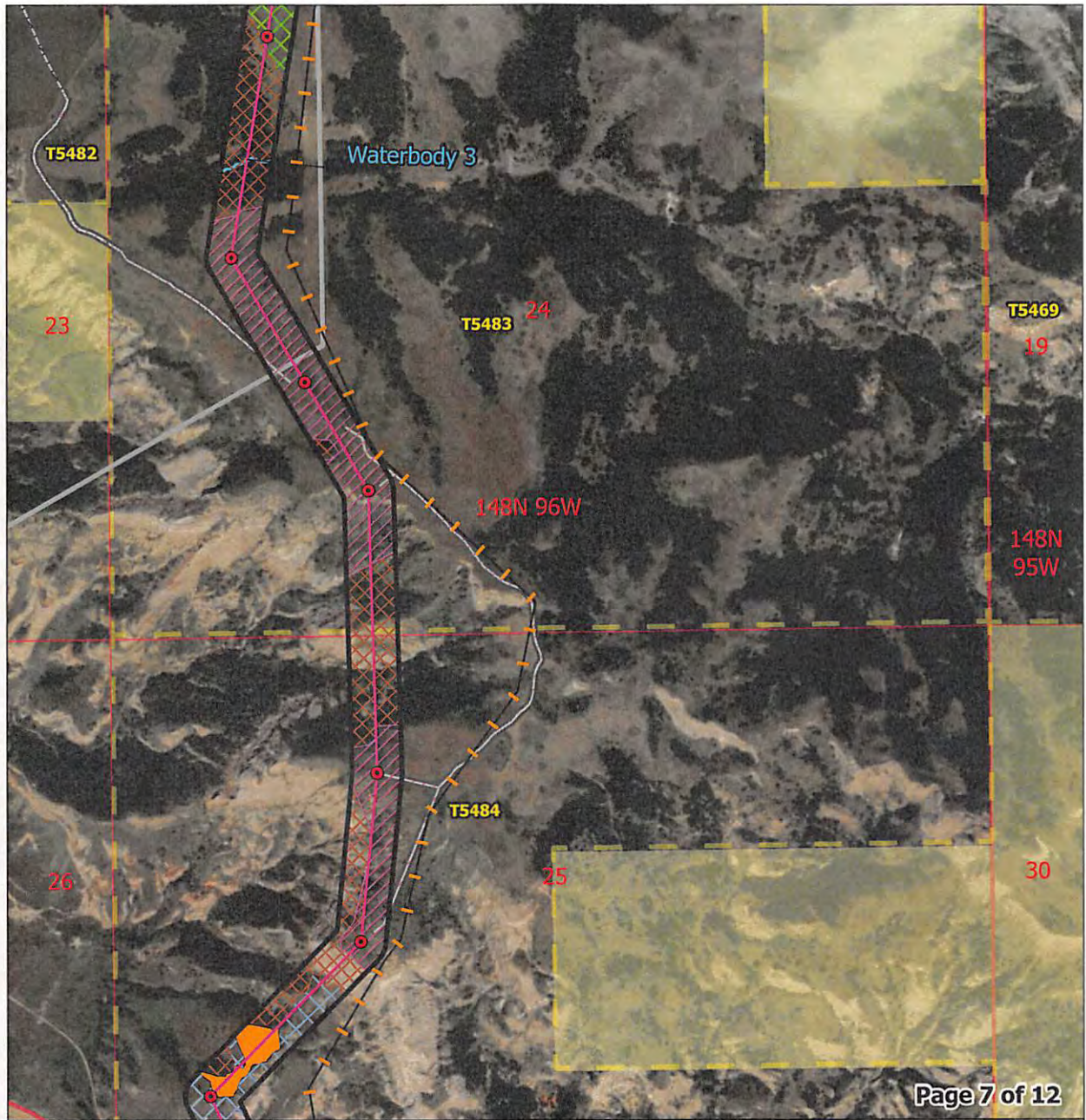


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 Date: 7/26/2023 Author: C. Tucker

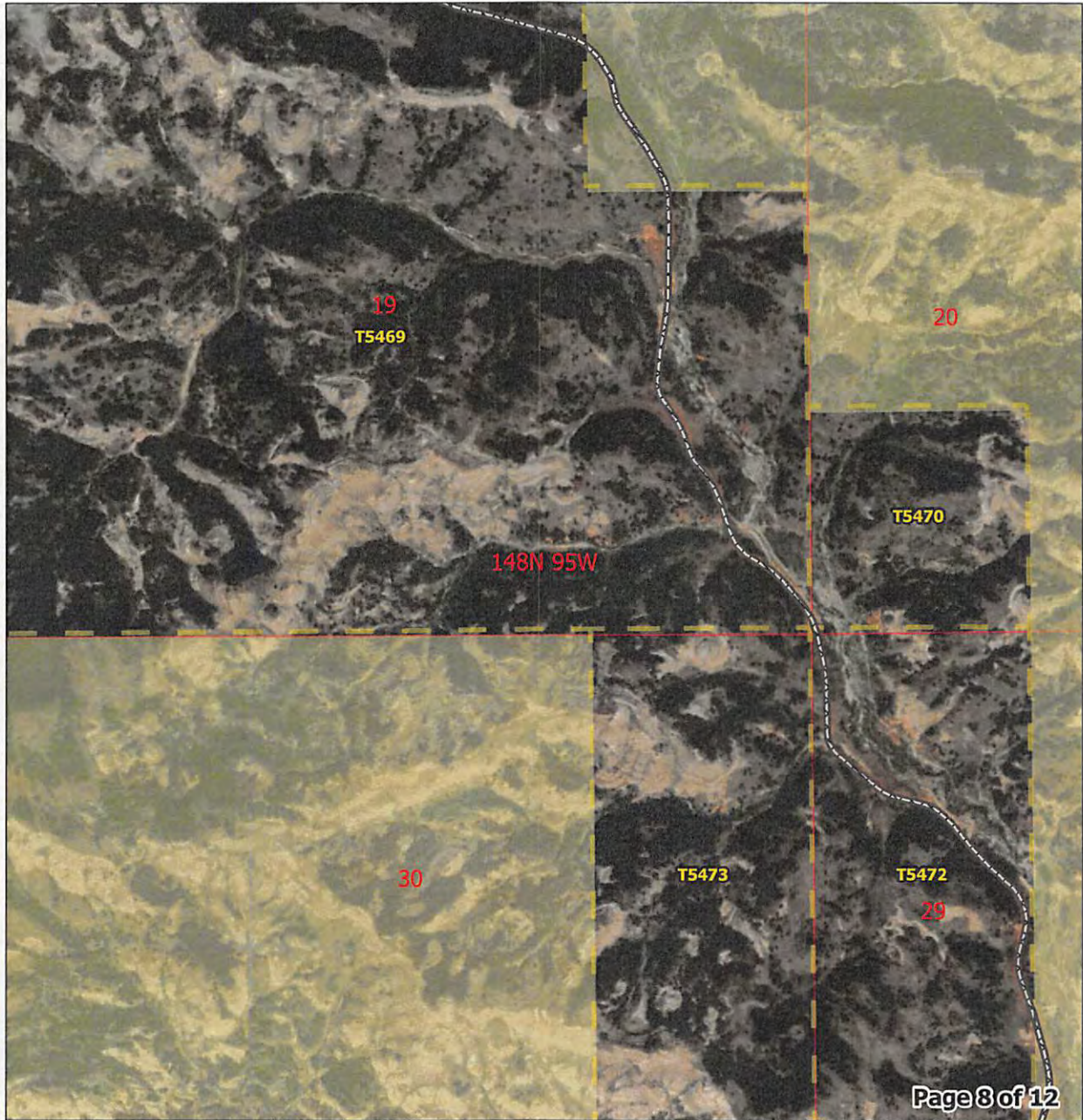




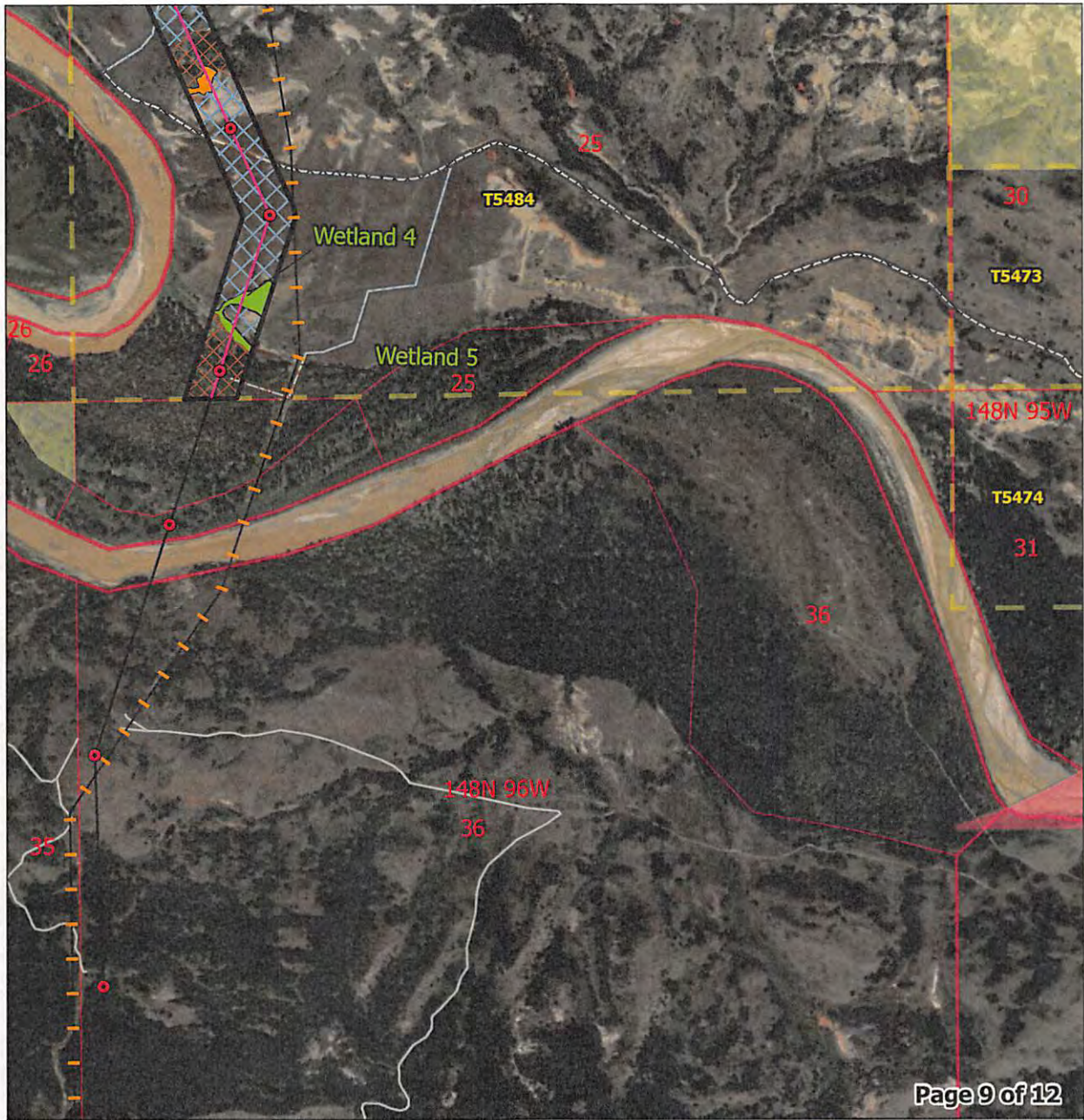
<p>Roundup to Kummer Ridge Transmission Line Project MCKENZIE AND DUNN COUNTIES</p>		<p>Proposed Project (Federal Land)</p> <p>Proposed Project (Private Land)</p> <p>Access Road</p> <p>Existing Overhead Transmission Line</p> <p>Existing Oil/Gas Pipeline</p>		<p>ROW Survey Area (300-Feet)</p> <p>Access Road Survey Area (30-Feet)</p> <p>Tribal Tract</p> <p>BLM</p> <p>USACE</p> <p>Structure</p>		<p>Habitat Assessment</p> <p>Habitat 1</p> <p>Habitat 2</p> <p>Habitat 3</p> <p>Habitat 4</p> <p>Habitat 5 (potential DASK)</p> <p>Habitat 6</p> <p>Habitat 7</p>		<p>Habitat 8 (potential DASK)</p> <p>Previously Disturbed</p> <p>Woody Vegetation</p> <p>Waterbody</p> <p>Wetland</p>	
<p>N W E S</p> <p>0 0.08 0.2 0.2 mi</p> <p>0 0.1 0.2 0.3 km</p>		<p>Data Source: World Topo</p> <p>Coordinate System: NAD 1983 UTM Zone 13N</p> <p>Date: 7/26/2023 Author: C. Tucker</p>							



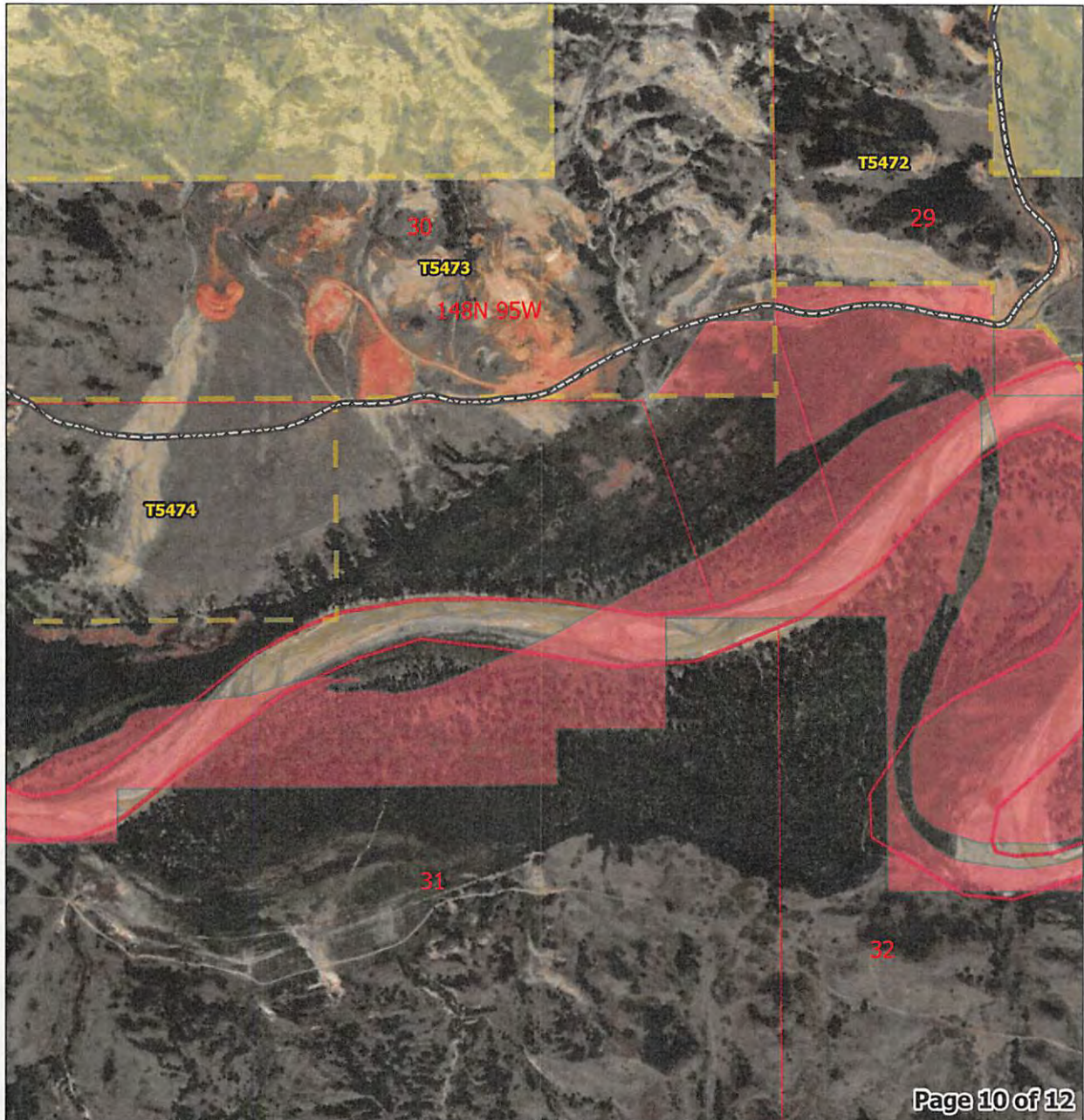
<p>Roundup to Kummer Ridge Transmission Line Project MCKENZIE AND DUNN COUNTIES</p>		<p>Proposed Project (Federal Land)</p> <p>Proposed Project (Private Land)</p> <p>Access Road</p> <p>Existing Overhead Transmission Line</p> <p>Existing Oil/Gas Pipeline</p>		<p>ROW Survey Area (300-Feet)</p> <p>Access Road Survey Area (30-Feet)</p> <p>Tribal Tract</p> <p>BLM</p> <p>USACE</p> <p>Structure</p>		<p>Habitat Assessment</p> <p>Habitat 1</p> <p>Habitat 2</p> <p>Habitat 3</p> <p>Habitat 4</p> <p>Habitat 5 (potential DASK)</p> <p>Habitat 6</p> <p>Habitat 7</p>		<p>Habitat 8 (potential DASK)</p> <p>Previously Disturbed</p> <p>Woody Vegetation</p> <p>Waterbody</p> <p>Wetland</p>	
<p>N</p> <p>W E</p> <p>S</p>		<p>0 0.08 0.2 0.2 mi</p> <p>0 0.1 0.2 0.3 km</p>		<p>Data Source: World Topo</p> <p>Coordinate System: NAD 1983 UTM Zone 13N</p> <p>Date: 7/26/2023 Author: C. Tucker</p>					



<p>Roundup to Kummer Ridge Transmission Line Project MCKENZIE AND DUNN COUNTIES</p>		<p>Proposed Project (Federal Land)</p> <p>Proposed Project (Private Land)</p> <p>Access Road</p> <p>Existing Overhead Transmission Line</p> <p>Existing Oil/Gas Pipeline</p>		<p>ROW Survey Area (300-Feet)</p> <p>Access Road Survey Area (30-Feet)</p> <p>Tribal Tract</p> <p>BLM</p> <p>USACE</p> <p>Structure</p>		<p>Habitat Assessment</p> <p>Habitat 1</p> <p>Habitat 2</p> <p>Habitat 3</p> <p>Habitat 4</p> <p>Habitat 5 (potential DASK)</p> <p>Habitat 6</p> <p>Habitat 7</p>		<p>Habitat 8 (potential DASK)</p> <p>Previously Disturbed</p> <p>Woody Vegetation</p> <p>Waterbody</p> <p>Wetland</p>	
<p>N W E S</p> <p>0 0.08 0.2 0.2 mi</p> <p>0 0.1 0.2 0.3 km</p>		<p>Data Source: World Topo</p> <p>Coordinate System: NAD 1983 UTM Zone 13N</p> <p>Date: 7/26/2023 Author: C. Tucker</p>							



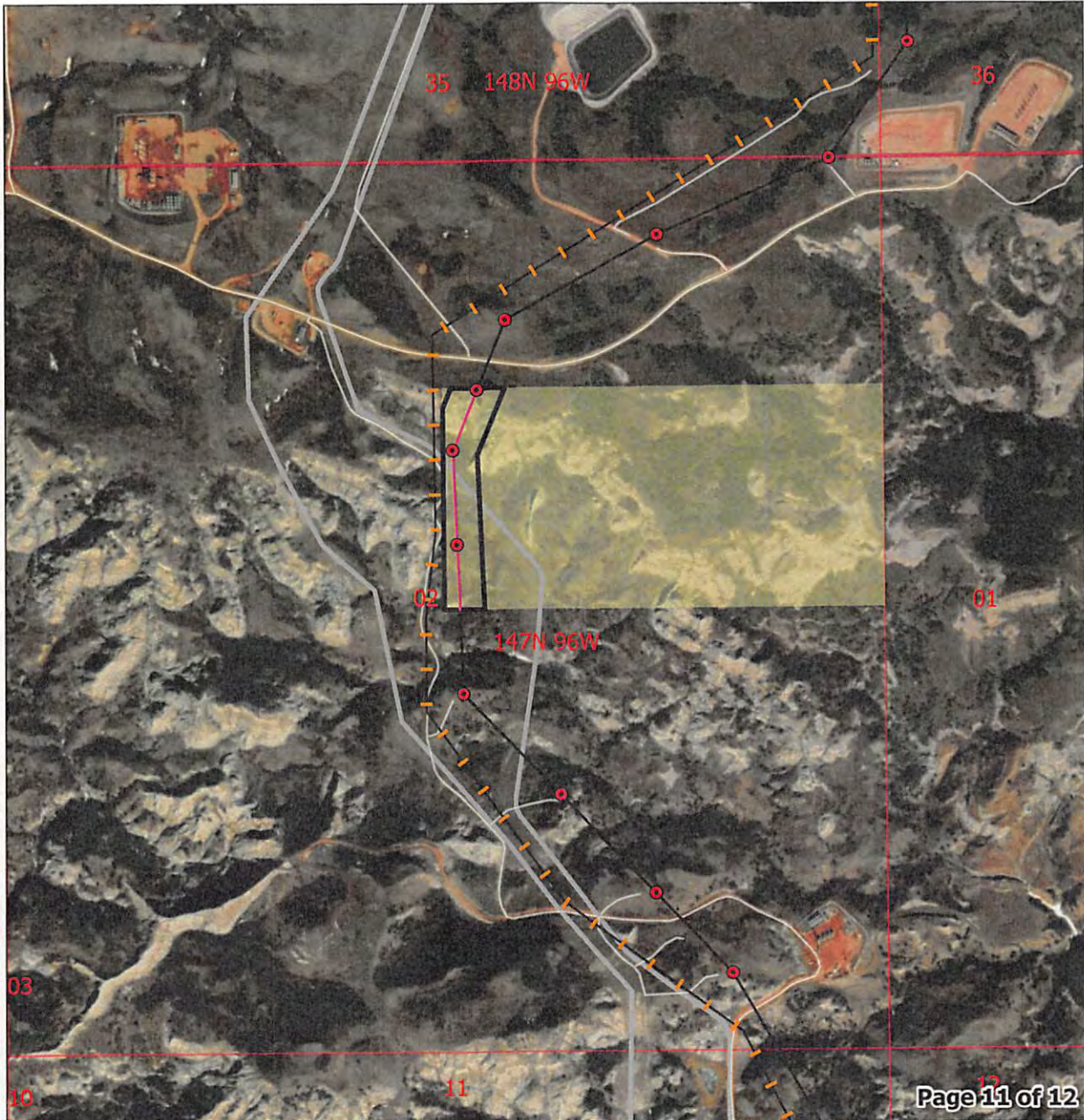
<p>Roundup to Kummer Ridge Transmission Line Project MCKENZIE AND DUNN COUNTIES</p>		<p>Proposed Project (Federal Land)</p> <p>Proposed Project (Private Land)</p> <p>Access Road</p> <p>Existing Overhead Transmission Line</p> <p>Existing Oil/Gas Pipeline</p> <p>Structure</p>		<p>ROW Survey Area (300-Feet)</p> <p>Access Road Survey Area (30-Feet)</p> <p>Tribal Tract</p> <p>BLM</p> <p>USACE</p>		<p>Habitat Assessment</p> <p>Habitat 1</p> <p>Habitat 2</p> <p>Habitat 3</p> <p>Habitat 4</p> <p>Habitat 5 (potential DASK)</p> <p>Habitat 6</p> <p>Habitat 7</p>		<p>Habitat 8 (potential DASK)</p> <p>Previously Disturbed</p> <p>Woody Vegetation</p> <p>Waterbody</p> <p>Wetland</p>	
<p>N</p> <p>W E</p> <p>S</p>		<p>0 0.08 0.2 0.2 mi</p> <p>0 0.1 0.2 0.3 km</p>		<p>Data Source: World Topo</p> <p>Coordinate System: NAD 1983 UTM Zone 13N</p> <p>Date: 7/26/2023 Author: C. Tucker</p>					



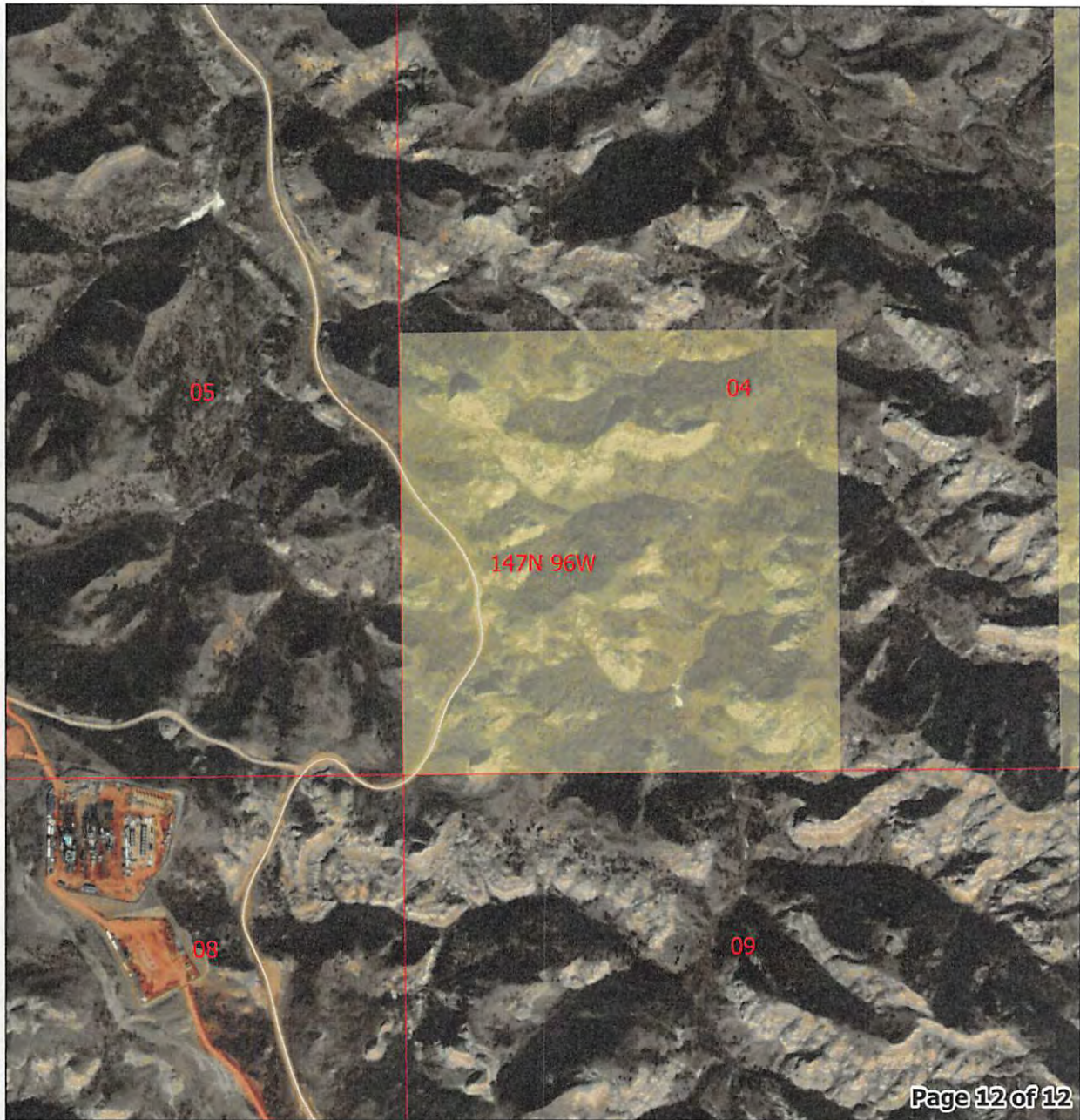
Roundup to Kummer Ridge Transmission Line Project
MCKENZIE AND DUNN COUNTIES

<ul style="list-style-type: none"> --- Proposed Project (Federal Land) --- Proposed Project (Private Land) --- Access Road + Existing Overhead Transmission Line --- Existing Oil/Gas Pipeline 	<ul style="list-style-type: none"> ROW Survey Area (300-Feet) Access Road Survey Area (30-Feet) Tribal Tract BLM USACE ● Structure 	<p>Habitat Assessment</p> <ul style="list-style-type: none"> Habitat 1 Habitat 2 Habitat 3 Habitat 4 Habitat 5 (potential DASK) Habitat 6 Habitat 7 	<ul style="list-style-type: none"> Habitat 8 (potential DASK) Previously Disturbed Woody Vegetation Waterbody Wetland
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Data Source: World Topo
 Coordinate System: NAD 1983 UTM Zone 13N
 Date: 7/26/2023 Author: C. Tucker



<p>Roundup to Kummer Ridge Transmission Line Project MCKENZIE AND DUNN COUNTIES</p>		<p>Proposed Project (Federal Land)</p> <p>Proposed Project (Private Land)</p> <p>Access Road</p> <p>Existing Overhead Transmission Line</p> <p>Existing Oil/Gas Pipeline</p>		<p>ROW Survey Area (300-Feet)</p> <p>Access Road Survey Area (30-Feet)</p> <p>Tribal Tract</p> <p>BLM</p> <p>USACE</p> <p>Structure</p>		<p>Habitat Assessment</p> <p>Habitat 1</p> <p>Habitat 2</p> <p>Habitat 3</p> <p>Habitat 4</p> <p>Habitat 5 (potential DASK)</p> <p>Habitat 6</p> <p>Habitat 7</p>		<p>Habitat 8 (potential DASK)</p> <p>Previously Disturbed</p> <p>Woody Vegetation</p> <p>Waterbody</p> <p>Wetland</p>	
		<p>Data Source: World Topo</p> <p>Coordinate System: NAD 1983 UTM Zone 13N</p> <p>Date: 7/26/2023 Author: C. Tucker</p>							



<p>Roundup to Kummer Ridge Transmission Line Project MCKENZIE AND DUNN COUNTIES</p>		<p>Habitat Assessment</p>	
<p>Proposed Project (Federal Land)</p> <p>Proposed Project (Private Land)</p> <p>Access Road</p> <p>Existing Overhead Transmission Line</p> <p>Existing Oil/Gas Pipeline</p>	<p>ROW Survey Area (300-Feet)</p> <p>Access Road Survey Area (30-Feet)</p> <p>Tribal Tract</p> <p>BLM</p> <p>USACE</p> <p>Structure</p>	<p>Habitat 1</p> <p>Habitat 2</p> <p>Habitat 3</p> <p>Habitat 4</p> <p>Habitat 5 (potential DASK)</p> <p>Habitat 6</p> <p>Habitat 7</p>	<p>Habitat 8 (potential DASK)</p> <p>Previously Disturbed</p> <p>Woody Vegetation</p> <p>Waterbody</p> <p>Wetland</p>
<p>McKenzie</p> <p>Dunn</p>		<p>0 0.08 0.2 0.2 mi</p> <p>0 0.1 0.2 0.3 km</p>	
<p>N</p> <p>W E</p> <p>S</p>		<p>Data Source: World Topo</p> <p>Coordinate System: NAD 1983 UTM Zone 13N</p> <p>Date: 7/26/2023 Author: C. Tucker</p>	

Appendix C

U.S Fish and Wildlife Service Informal Section 7 Consultation



United States Department of the Interior



FISH AND WILDLIFE SERVICE
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, North Dakota 58501
(701) 250-4481, ndfieldoffice@fws.gov

In Reply Refer To:
06E15000-2020-I-0538
BIA FBIR Biological Programatic

August 20, 2021

Mr. Mark Herman
Environmental Engineer
Bureau of Indian Affairs, Great Plains Region
115 4th Avenue SE, Suite 400
Aberdeen, South Dakota 57401

Dear Mr. Herman:

We respectively submit this letter in response to the June 4, 2021 email requesting written concurrence of the Bureau of Indian Affairs (BIA) determination of effects regarding federally listed species contained in the Second Addendum on the Fort Berthold Indian Reservation Programmatic Biological Assessment Biological Evaluation submitted by the Great Plains Regional Office of the Bureau of Indian Affairs for the Fort Berthold Indian Reservation in North Dakota.

In accordance with Section 7 consultation under the Act, Regional BIA has requested Service concurrence with the determinations that the Project "may affect, but is not likely to adversely affect" the threatened northern long-eared bat and Dakota skipper.

We concur with your conclusion that the described projects will not adversely affect listed species and believe the effects to these species are discountable or insignificant based on discussions at field on-sites and the conservation measures outlined in the Addendum. If changes are made in the project plans or operating criteria, or if additional information becomes available, we must be informed so that the above determination can be reconsidered.

With projects that could possibly impact the northern long-eared bat, The USFWS would recommend that the USFWS' IPAC website be used to evaluate projects and letters generated (determinations) from this review be forwarded to the Service for our records.

The habitat of projects with possible impacts to Dakota skippers should be evaluated from a desk-top and field perspective to determine if suitable habitat for the Dakota skipper exists. Suitable habitat should be checked for occupancy following the current standard sampling protocol published by the USFWS. The requisite plant list should not be considered inclusive when determining suitability of habitat for Dakota skipper.

BIA has also determined that no further review was needed for the endangered whooping crane, pallid sturgeon and the threatened and rufa red knot, piping plover and piping plover designated critical habitat because there have been no changes in species description, habitat or expected occurrences since the Service's last concurrence. Accordingly, we recommend BIA retain the documentation for these listed resources in your decisional record for these federal actions.

Pursuant to the implementing regulations of the Act (50 CFR 402.13), this letter concludes informal consultation. This consultation should be re-initiated if: (1) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered in this consultation; (2) the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation; or (3) a new species is listed or critical habitat is designated that may be affected by this action.

We appreciate the opportunity to provide comments and your efforts to ensure the conservation of listed species and their habitat. If you have any questions on these comments, please contact Jerry Reinisch of my staff at (701) 425-2133 or myself at (701) 355-8512.

Sincerely,

DREW BECKER Digitally signed by DREW BECKER
Date: 2021.08.20 13:31:18 -05'00'

Drew Becker
North Dakota Field Office Supervisor

cc: Greg Link, North Dakota Game and Fish

Appendix D

Dakota Skipper Habitat Analysis Forms

Dakota Skipper Habitat Analysis

Project	BEPC RU to KR Transmission Project
Site ID	Habitat 1
Date Sampled	May 9, 2023
Sampled by	C Tucker / A Brazil
Location	FBIR
County	Dunn
Soil Map Unit	E1333D / L1661F / E1635C
MLRA	Northern Rolling High Plains
Ecological Site	Sandy
Community Phase	Mixed

SITE CHARACTERISTICS
Slope Aspect – South
Percent slope –7-15
GRAZING CHARACTERISTICS
Moderate
SOIL CHARACTERISTICS
Texture – fine sandy loam
Surface Depth – 0-6"
Soil Ribbon –

COMMUNITY COVER	
Absolute Cover by Sight	Bare Distribution: Natural bare areas evenly throughout
Bare: 5 %	Existing Disturbance: Pipeline scar and access road
Grasses: 85 %	
Forbs: 15 %	
Shrubs: n/a %	
Trees: n/a %	

DOMINANT SPECIES BY GROUP	
Grasses – Kentucky bluegrass, Blue grama, Intermediate wheatgrass	
Forbs – Prairie sagewort	
Shrubs – n/a	
Trees – n/a	
FORB ABUNDANCE AND FREQUENCY	
n/a	

SPECIES IN COMMUNITY		
Forbs	Graminoids	Invasive / Shrubs / Vines / Trees
Green sagewort Bird's foot-trefoil White sagewort Dandelion Fringed sagewort* Aromatic aster Purple coneflower* Missouri goldenrod Yellow salsify Western wallflower American vetch	Kentucky bluegrass Blue grama Threadleaf sedge Sun sedge Western wheatgrass Prairie junegrass Intermediate wheatgrass	

COMMENTS	Habitat 1 does not contain requisite species. Vegetation was not sampled due to lack of potential habitat.
Determination	DASK habitat not present



View of typical vegetation found in Habitat 1. Dominant species include Kentucky bluegrass, western wheatgrass, and intermediate wheatgrass along with prairie sagewort. Habitat 1 does not provide suitable habitat for the Dakota skipper.

Dakota Skipper Habitat Analysis

Project	BEPC RU to KR Transmission Project	SITE CHARACTERISTICS
Site ID	Habitat 2	Slope Aspect – gently undulating
Date Sampled	May 10, 2023	Percent slope –5-10
Sampled by	C Tucker / A Brazil	GRAZING CHARACTERISTICS
Location	FBIR	Moderate
County	Dunn	SOIL CHARACTERISTICS
Soil Map Unit	L1425F / L1355D	Texture – Fine sandy loam
MLRA	Northern Rolling High Plains	Surface Depth – 0-6”
Ecological Site	Sandy	Soil Ribbon –n/a
Community Phase	Native dominant	

COMMUNITY COVER	
Absolute Cover by Sight	Bare Distribution: Natural bare areas evenly throughout
Bare: 2-5 %	
Grasses: 90 %	Existing Disturbance: Pipeline scar and access road
Forbs: 7 %	
Shrubs: 5 %	
Trees: n/a %	

DOMINANT SPECIES BY GROUP
Grasses – Blue grama / Western wheatgrass
Forbs – Dandelion / Bird’s-foot trefoil
Shrubs – Western snowberry
Trees – n/a
FORB ABUNDANCE AND FREQUENCY
n/a

SPECIES IN COMMUNITY		
Forbs	Graminoids	Invasive / Shrubs / Vines / Trees
Green sagewort	Western wheatgrass*	Western snowberry
White sagewort	Kentucky bluegrass	
Missouri goldenrod	Prairie junegrass	
Bird’s foot trefoil	Blue grama	
Dandelion	Slender wheatgrass	
Purple coneflower*	Smooth brome	
Sweetclover	Threadleaf sedge	
Western yarrow	Prairie sandreed grass	
White heath aster		
Prairie sagewort*		
Purple coneflower*		
American vetch		

*signifies requisite species for Dakota skipper

COMMENTS	Habitat 2 does not contain sufficient density of requisite species.
Determination	DASK habitat not present

Project Name: RU-KR Transmission Project				Site Number: 2							Date Sampled: 5/10/2023		
SPECIES	Frame Number										Frequency %	Absolute cover (average)	Relative Cover %
	1	2	3	4	5	6	7	8	9	10			
Bare/rock	2.5	2.5	2.5	15		2.5	2.5	2.5	2.5		80	3.25	N/A
Blue grama	37.5	2.5	62.5	37.5	37.5	15	62.5	37.5		62.5	90	35.50	41%
Western wheatgrass*	2.5	37.5	15		15	62.5	2.5			2.5	70	13.75	16%
Slender wheatgrass										62.5	10	6.25	7%
KY bluegrass	15	15	15					2.5			40	4.75	6%
Dandelion	2.5	2.5	2.5	2.5	2.5	2.5	15			15	80	4.50	5%
Bird's-foot trefoil					37.5						10	3.75	4%
Threadleaf sedge								37.5			10	3.75	4%
Hairy goldenaster	15	15									20	3.00	3%
Prairie sagewort*	2.5	15	2.5	2.5		2.5					50	2.50	3%
Purple coneflower*		15						2.5		2.5	30	2.00	2%
MO goldenrod					2.5					15	20	1.75	2%
Smooth brome			15								10	1.50	2%
White sagewort								15			10	1.50	2%
Green sagewort			2.5			2.5					20	0.50	1%
Prairie junegrass	2.5										10	0.25	0%
White heath aster		2.5									10	0.25	0%
American vetch				2.5							10	0.25	0%
Totals													100%
Number species/frame	7	8	7	4	5	5	3	5	1	5			
Robel Pole Measurement	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	Avg. Overall (cm)		
											2.5		

*signifies requisite species for Dakota skipper



View looking southwest across Habitat 2. This area is dominated by blue grama and western wheatgrass. Common forbs include dandelion, bird's-foot trefoil, and white and green sageworts. Patches of western snowberry are common throughout.

Dakota Skipper Habitat Analysis

Project	BEPC RU to KR Transmission Project	SITE CHARACTERISTICS
Site ID	Habitat 3	Slope Aspect – West
Date Sampled	May 10, 2023	Percent slope –8-12
Sampled by	C Tucker / A Brazil	GRAZING CHARACTERISTICS
Location	FBIR	Moderate
County	Dunn	SOIL CHARACTERISTICS
Soil Map Unit	L3191F	Texture – silt loam
MLRA	Northern Rolling High Plains	Surface Depth – 0-2"
Ecological Site	Badlands	Soil Ribbon –
Community Phase	Native dominant	

COMMUNITY COVER	
Absolute Cover by Sight	Bare Distribution: Natural bare areas evenly throughout
Bare: 20 %	Existing Disturbance: Pipeline scar and access road
Grasses: 80 %	
Forbs: 2-3 %	
Shrubs: 2-3 %	
Trees: na %	

DOMINANT SPECIES BY GROUP	
Grasses – Kentucky bluegrass, Blue grama	
Forbs – Fringed prairie sagewrot	
Shrubs – Silver sage	
Trees – na	
FORB ABUNDANCE AND FREQUENCY	

SPECIES IN COMMUNITY		
Forbs	Graminoids	Invasive / Shrubs / Vines / Trees
Alfalfa Prairie sagewort* Sweetclover Western yarrow Biscuit parsley Golden pea Flixweed Curlycup gumweed Scarlet globemallow	Intermediate wheatgrass Blue grama Prairie junegrass	Silver sage Leafy spurge Fragile cactus

*signifies requisite species for Dakota skipper

COMMENTS	Habitat 3 does not contain sufficient vegetative species or density of requisite grass or forb species. Vegetation sampling was not conducted due to lack of potential habitat.
Determination	DASK habitat not present

Dakota Skipper Habitat Analysis

Project	BEPC RU to KR Transmission Project	SITE CHARACTERISTICS
Site ID	Habitat 4	Slope Aspect – West
Date Sampled	May 10, 2023	Percent slope –8-12
Sampled by	C Tucker / A Brazil	GRAZING CHARACTERISTICS
Location	FBIR	Heavy
County	Dunn	SOIL CHARACTERISTICS
Soil Map Unit	L1425F / L3191F / L3197E	Texture – fine sandy loam / silt loam
MLRA	Northern Rolling High Plains	Surface Depth – 0-5"
Ecological Site	Sandy / Badlands	Soil Ribbon –
Community Phase	Mixed grass	

COMMUNITY COVER	
Absolute Cover by Sight	Bare Distribution: na
Bare: 0 %	Existing Disturbance: Pipeline scar and access road
Grasses: 75 %	
Forbs: 5 %	
Shrubs: 40 %	
Trees: na %	

DOMINANT SPECIES BY GROUP
Grasses – Kentucky bluegrass, Blue grama
Forbs – Fringed prairie sagewort
Shrubs – Silver sage
Trees – na
FORB ABUNDANCE AND FREQUENCY

SPECIES IN COMMUNITY		
Forbs	Graminoids	Invasive / Shrubs / Vines / Trees
Green sagewort White sagewort Eastern pasqueflower* Purple coneflower* Prairie smoke* Curlycup gumweed Sweetclover Prairie sagewort* Golden pea	Kentucky bluegrass Crested wheatgrass Smooth brome Little bluestem* Prairie sandreed Blue grama Sun sedge Threadleaf sedge	Silver sage Chokecherry Rocky mountain juniper

*signifies requisite species for Dakota skipper

COMMENTS	Habitat 4 is heavily grazed by horses. The requisite species that were documented were in low abundance. Vegetation sampling was not conducted due to lack of potential habitat.
Determination	DASK habitat not present



View of proposed access road across BLM property in Sec. 23, T148N, R96W. This area was field classified as Habitat 4 and is dominated by KY bluegrass, blue grama, and silver sage.



View of Habitat 4 in Section 25, T148N, R96W. Photo was taken facing east across the proposed ROW. An existing McKenzie Electric Corporation overhead transmission line can be seen in the background.

Dakota Skipper Habitat Analysis

Project	BEPC RU to KR Transmission Project
Site ID	Habitat 5
Date Sampled	May 10, 2023
Sampled by	C Tucker / A Brazil
Location	FBIR
County	Dunn
Soil Map Unit	L2621F
MLRA	Northern Rolling High Plains
Ecological Site	Shallow loamy
Community Phase	Native dominant

SITE CHARACTERISTICS
Slope Aspect – South and West
Percent slope –10-35
GRAZING CHARACTERISTICS
Light
SOIL CHARACTERISTICS
Texture – loam
Surface Depth – 0-3"
Soil Ribbon – n/a

COMMUNITY COVER	
Absolute Cover by Sight	Bare Distribution: Natural bare areas evenly throughout
Bare: 5 %	Existing Disturbance: undisturbed
Grasses: 90 %	
Forbs: 5 %	
Shrubs: 10 %	
Trees: na %	

DOMINANT SPECIES BY GROUP
Grasses – Little bluestem
Forbs – Purple coneflower / Wood lily
Shrubs – na
Trees – na
FORB ABUNDANCE AND FREQUENCY
Twelve forb species were documented with an average frequency of 10

SPECIES IN COMMUNITY		
Forbs	Graminoids	Invasive / Shrubs / Vines / Trees
Green sagewort White sagewort Missouri goldenrod Bird's foot trefoil Dandelion Purple coneflower* Sweetclover Western yarrow White heath aster Prairie sagewort* Purple coneflower* American vetch	Western wheatgrass* Kentucky bluegrass Prairie junegrass Blue grama Slender wheatgrass Smooth brome Threadleaf sedge	Western snowberry

*signifies requisite species for Dakota skipper

COMMENTS	Habitat is dominated by requisite species and has the potential to support the Dakota Skipper
Determination	Potential DASK habitat present

Project Name: RU-KR Transmission Project				Site Number: 5							Date Sampled: 5/10/2023		
SPECIES	Frame Number										Frequency %	Absolute cover (average)	Relative Cover %
	1	2	3	4	5	6	7	8	9	10			
Bare/rock				2.5		2.5	2.5			2.5	40	1.00	N/A
Little bluestem*	85	85	85	62.5	85	85	85	85	85	15	100	75.75	85%
KY bluegrass		2.5								2.5	20	0.50	1%
Wood lily*			2.5								10	0.25	0%
MO goldenrod				2.5							10	0.25	0%
Prairie sandreed				15							10	1.50	2%
Side-oats grama*				15	15						20	3.00	3%
Threadleaf sedge										37.5	10	3.75	4%
Blue grama										37.5	10	3.75	4%
Silver sage										2.5	10	0.25	0%
Totals	85	87.5	87.5	97.5	100	87.5	87.5	85	85	97.5			100%
Number species/frame	1	2	2	4	2	1	1	1	1	5			
Robel Pole Measurement	7.5	5	5	2.5	7.5	7.5	7.5	7.5	7.5	2.5	Avg. Overall (cm)		
											6		

*signifies requisite species for Dakota skipper



View of little bluestem dominated grassland in Habitat 5 located in the W1/2 of Section 25, T148N, R96W. This habitat is dominated by requisite species and has the potential to provide habitat for the Dakota skipper.

Dakota Skipper Habitat Analysis

Project	BEPC RU to KR Transmission Project	SITE CHARACTERISTICS
Site ID	Habitat 6	Slope Aspect – South
Date Sampled	May 10, 2023	Percent slope –3-10
Sampled by	C Tucker / A Brazil	GRAZING CHARACTERISTICS
Location	FBIR	Moderate
County	Dunn	SOIL CHARACTERISTICS
Soil Map Unit	L2621F	Texture – loam
MLRA	Northern Rolling High Plains	Surface Depth – 0-3”
Ecological Site	Shallow Loamy	Soil Ribbon –
Community Phase	Native dominant	

COMMUNITY COVER	
Absolute Cover by Sight	Bare Distribution: na
Bare: 3-5 %	Existing Disturbance: access road
Grasses: 85 %	
Forbs: 3-5 %	
Shrubs: 20 %	
Trees: na %	

DOMINANT SPECIES BY GROUP
Grasses – Western wheatgrass / Blue grama
Forbs – Green sagewort / White sagewort
Shrubs – Silver sage
Trees – na
FORB ABUNDANCE AND FREQUENCY

SPECIES IN COMMUNITY		
Forbs	Graminoids	Invasive / Shrubs / Vines / Trees
Purple coneflower* Biscuit parsley Yellow salsify Blue flax Curlycup gumweed	Kentucky bluegrass Western wheatgrass* Blue grama Sun sedge Purple three-awn Crested wheatgrass	Silver sage

*signifies requisite species for Dakota skipper

COMMENTS	Habitat 6 does not contain sufficient abundance or diversity of requisite species. This habitat was not sampled due to lack of potential habitat for the Dakota skipper.
Determination	DASK habitat not present



View of Habitat 6 found in the SW1/4 of Section 25, T148N, R95W. This area is dominated by blue grama, western wheatgrass and silver sage. This habitat does not provide potential habitat for the Dakota skipper.



Habitat 6 is found on the south facing slopes leading down into the Little Missouri River Valley. The existing McKenzie Electric Corporation overhead transmission line can be seen in the background.

Dakota Skipper Habitat Analysis

Project	BEPC RU to KR Transmission Project
Site ID	Habitat 7
Date Sampled	May 11, 2023
Sampled by	C Tucker / A Brazil
Location	FBIR
County	Dunn
Soil Map Unit	L3199F / L1425F / L1355D / L0516B
MLRA	Northern Rolling High Plains
Ecological Site	Steep-sided wooded draw / sandy / thin claypan
Community Phase	Native dominant

SITE CHARACTERISTICS
Slope Aspect – relatively flat
Percent slope –0-2%
GRAZING CHARACTERISTICS
Moderate
SOIL CHARACTERISTICS
Texture – loam / fine sandy loam
Surface Depth – 0-6"
Soil Ribbon –

COMMUNITY COVER	
Absolute Cover by Sight	Bare Distribution: na
Bare: 3-5 %	Existing Disturbance: Pipeline scar, tree plantings, and access road
Grasses: 85 %	
Forbs: 3-5 %	
Shrubs: 10 %	
Trees: na %	

DOMINANT SPECIES BY GROUP	
Grasses – KY bluegrass	
Forbs – White sagewort	
Shrubs – Western snowberry	
Trees – na	
FORB ABUNDANCE AND FREQUENCY	

SPECIES IN COMMUNITY		
Forbs	Graminoids	Invasive / Shrubs / Vines / Trees
White sagewort Dandelion Curlycup gumweed Prairie sagewort* Western yarrow Alfalfa Bird's-foot trefoil Green sagewort	KY bluegrass Smooth brome Western wheatgrass* Crested wheatgrass	Silver sage Western snowberry

*signifies requisite species for Dakota skipper

COMMENTS	Habitat 7 does not contain sufficient abundance or diversity of requisite species. Vegetation was not sampled due to lack of potential habitat.
Determination	DASK habitat not present



View looking across Habitat 7 in the NW1/4 of Section 13, T1448N, R96W. KY bluegrass, white sagewort, and western snowberry are common species. This area is not considered habitat for the Dakota skipper.



View of Habitat 7 in the SW1/4 of Section 7, T148N, R95W. Photo was taken looking southwest down the ROW. The existing McKenzie Electric Corporation's overhead transmission line can be seen.

Dakota Skipper Habitat Analysis

Project	BEPC RU to KR Transmission Project
Site ID	Habitat 8
Date Sampled	May 11, 2023
Sampled by	C Tucker / A Brazil
Location	FBIR
County	Dunn
Soil Map Unit	L1425F
MLRA	Northern Rolling High Plains
Ecological Site	Sandy
Community Phase	Native dominant

SITE CHARACTERISTICS
Slope Aspect – Southwest
Percent slope – 7-15
GRAZING CHARACTERISTICS
Light
SOIL CHARACTERISTICS
Texture – fine sandy loam
Surface Depth – 0-5"
Soil Ribbon – na

COMMUNITY COVER	
Absolute Cover by Sight	Bare Distribution: Natural bare areas evenly throughout
Bare: 1 %	Existing Disturbance: Pipeline scar and access road
Grasses: 98 %	
Forbs: 7 %	
Shrubs: 2 %	
Trees: na %	

DOMINANT SPECIES BY GROUP	
Grasses – Little bluestem	
Forbs – Stiff sunflower	
Shrubs – Western snowberry	
Trees – na	
FORB ABUNDANCE AND FREQUENCY	
Seven forb species were documented with an average frequency of 17	

SPECIES IN COMMUNITY		
Forbs	Graminoids	Invasive / Shrubs / Vines / Trees
Stiff sunflower Purple coneflower* White sagewort Soft goldenrod Blue lettuce Northern hawksbeard Green sagewort	Little bluestem* Side oats grama* Purple three-awn Needle-and-thread* KY bluegrass Threadleaf sedge Sun sedge Green needlegrass* Prairie sandreed	Western snowberry

**signifies requisite species for Dakota skipper*

COMMENTS	Habitat is dominated by requisite species and has the potential to support the Dakota Skipper
Determination	Potential DASK habitat present

Project Name: RU-KR Transmission Project				Site Number: 8							Date Sampled: 5/11/2023		
SPECIES	Frame Number										Frequency %	Absolute cover (average)	Relative Cover %
	1	2	3	4	5	6	7	8	9	10			
Bare/rock			15			2.5				2.5	30	2.00	N/A
Little bluestem*	85	85	2.5	85	85		85	37.5	62.5	85	90	61.25	70%
KY bluegrass	2.5				2.5	37.5			37.5	2.5	50	8.25	9%
Purple threeawn			15					37.5			20	5.25	6%
Threadleaf sedge		2.5	15			15					30	3.25	4%
White sagewort			2.5			15		2.5			30	2.00	2%
Sun sedge			15								10	1.50	2%
Sideoats grama*				15								1.50	2%
White heath aster						15					10	1.50	2%
Blue grama								15			10	1.50	2%
Totals	2	2	6	2	2	5	2	5	5	3		88.00	100%
Number species/frame	1	2	2	4	2	1	1	1	1	5			
Robel Pole Measurement	7.5	4.9	5	5	2.5	2.5	2.5	6.3	5	2.5	Avg. Overall (cm)		
											4.4		

*signifies requisite species for Dakota skipper



View looking northwest across Habitat 8. Habitat 8 was defined in two polygons, one location in NW1/4 of Section 13, T148N, R96W and one location in location in the SW1/4 of Section 7, T148N, R95W. This area is dominated by requisite species and has the potential to be used by the Dakota skipper.

Appendix E
Avian Protection Plan

Basin Electric Power Cooperative Avian and Bat Protection Plan (ABPP)



**BASIN ELECTRIC
POWER COOPERATIVE**

A Touchstone Energy® Cooperative



Adoption and Approval of Basin Electric Power Cooperative's Avian and Bat Protection Plan

This plan is hereby adopted and approved.

By: Todd E. Telesz
Todd E. Telesz (Aug 22, 2022 12:35 CDT)
Todd E. Telesz, CEO and General Manager
Basin Electric Power Cooperative

Date: Aug 22, 2022

Version	Date Issued	Date Effective	Changes or Additions	Owner's Initials
1.0	04/05/2013	05/01/2013	Original	ENFD
2.0	08/26/2022	09/01/2022	Updated Forms	ENFD

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1.0 Introduction

Basin Electric Power Cooperative (Basin Electric) is one of the largest electric generation and transmission (G & T) cooperatives in the United States. Basin Electric, along with its subsidiaries, has long promoted the balance between environmental responsibility and providing affordable electricity to its members. This balance is a consideration during all activities of Basin Electric including but not limited to the generation of electricity, developing, siting and building new projects, expansion and updating of current facilities, and building and maintaining transmission lines.

Basin Electric recognizes that necessary operations may impact the environment, including avian and bat species. Basin Electric has developed this Avian and Bat Protection Plan (ABPP) with the overall goal of minimizing avian and bat mortality. This ABPP attempts to identify and potentially remedy situations where negative impacts to avian and bat species may occur. In addition, it provides guiding principles for Basin Electric project developers to build mechanisms to minimize potential impacts to avian and bat species into projects. This ABPP also provides guidelines for training, a monitoring and reporting system, and quality control.

Basin Electric is subject to a number of state and Federal laws that protect avian and bat species. Among the Federal regulations are the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA) and the Endangered Species Act (ESA). These laws, and others, provide protection for some of the wildlife species that may come into contact with Basin Electric facilities and operations.

Basin Electric's ABPP addresses issues associated with overhead transmission lines such as roosting and collision as well as wind turbine disturbance and collision issues. Many of the environmental considerations, for example siting, are applicable to both transmission lines and wind farms. Sections of the ABPP may address concerns collectively or specifically directed to a particular structure or activity, depending upon applicability. While distribution lines also pose a risk to avian species, this document is intended for use by Basin Electric, and therefore, focuses on transmission lines and wind turbines only.

Basin Electric believes that environmental responsibility is a cooperative-wide issue. The goal of this ABPP is to minimize the risks to avian and bat species from Basin Electric wind farms and transmission lines. Basin Electric believes that the development of an ABPP is an evolving process. As more data is collected, the ABPP will be modified to reflect the lessons learned as well as incorporating advances in research and technology. It is Basin Electric's intent that the ABPP will continue to expand, develop and improve as the knowledge regarding these issues within the industry advances and regulatory requirements change.

2.0 Cooperative Policy

Basin Electric is committed to a policy of environmental responsibility, coupled with providing reliable electricity in as low a cost manner as possible to cooperative members. This commitment extends to compliance with regulatory requirements protecting wildlife, obtaining and complying with all state and Federal permits, and making reasonable and prudent efforts to minimize the impact and mortality of avian and bat species while building and maintaining electric generation and transmission facilities.

This ABPP supports that commitment. It provides guidelines for the implementation of cooperative policy and provides a reference for project developers. Through this ABPP, Basin Electric commits to the following:

- Execute the policies and guidelines outlined in this ABPP to the extent practicable while ensuring the health and safety of employees;
- Execute the policies and guidelines outlined in this ABPP to the extent practicable under engineering and economic constraints;
- Act in accordance with all applicable state and Federal regulations regarding avian and bat species;
- Provide necessary training for applicable Basin Electric personnel in methods to minimize impact, identify species of concern, and proper mechanisms for monitoring and reporting;
- Whenever it is reasonably possible, through risk assessment and site selection, Basin Electric will minimize effects to avian and bat species in regard to placement of facilities and supporting infrastructure;
- Design structures to minimize negative impacts to the extent reasonably possible;
- Use best management practices during site construction and maintenance;
- After construction and commissioning, Basin Electric will follow developed monitoring and reporting procedures for mortalities and species of interest as necessary;
- During maintenance activities, Basin Electric will follow developed best management practices;
- As necessary, Basin Electric will consult with local, state and federal experts to gain guidance and share information;
- Whenever reasonable and possible, Basin Electric will take measures to reduce mortality to avian and bat species;
- Basin Electric will implement quality control measures to ensure compliance with the ABPP and identify any necessary updates and/or revisions to the ABPP;
- When retrofitting existing structures, Basin Electric will follow the same standards as new construction whenever practicable.

3.0 Permit Compliance

Basin Electric has developed the following process to obtain and comply with all necessary permits and laws pertaining to avian and bat issues. This process may continue past commissioning and through the life of a project, facility or infrastructure. The Basin Electric person(s) assigned to a project or facility as the environmental lead is responsible for obtaining and ensuring compliance with all permits. Basin Electric has facilities in multiple states, and therefore, may be subject to a variety of permits, laws and agencies, depending upon location.

Permit Process

1. During the project initiation stage, an individual or team from Environmental Services of Basin Electric should be assigned to the project.
2. During the project development stage, the Environmental Services personnel assigned to the project must develop a working list of permits that may potentially be required for the project. This list may continue to develop as the project develops.
3. Basin Electric Environmental Services staff has the lead responsibility for permitting. Environmental Services staff will work with Basin Electric engineering, drafting, GIS, right-of-way, other Basin Electric staff, and consultants to prepare permit applications.
4. When permits have been received, Environmental Services staff will submit the permits to the Records division and notify the project manager of the permit.
5. If the permit contains provisions regarding construction, monitoring and/or reporting, Environmental Services staff must inform appropriate individuals.

4.0 Training

As needed, training on avian and bat issues will be provided for Basin Electric staff as well as contracted staff. This training may vary based on type of project, length of project, project stage, time of year and potentially affected species. An individual's role may dictate the training that may be provided for project development, construction and/or operations. Depending upon the project, training may occur during project development, construction and/or operation. It is not anticipated that all projects will require training at all or any level. Additionally, some projects, such as wind farms, may require project or site specific training to be developed.

5.0 Site Selection and Site Design

Site selection applies the risk assessment analysis to potential project sites. In addition, site selection involves Basin Electric meeting with applicable agencies and landowners. Basin Electric is committed to contacting applicable state and federal agencies early in the project development process. These contacts help ensure that avian, bat and other environmental issues are illuminated as soon as possible.

Wind Turbine Site Layout and Design

Basin Electric uses a number of data sources to determine locations of good wind resource. Basin Electric typically sites wind projects as close to existing transmission lines as possible to minimize the construction of new transmission lines. All collector lines and communication cables are buried to avoid habitat loss and prevent collisions. Typically, this infrastructure would be adjacent to the access roads or along public rights-of-way or easements when possible.

Wind Turbine Siting Parameters

Generally, in addition to high quality wind resource and available transmission, Basin Electric looks to site wind turbines in areas of high pre-existing disturbances when possible. In areas that are going to be monitored closer for wind potential, simultaneously, these areas may also be examined closer for potential avian and bat concerns. A Potential Impact Index (PII) may be done on any site being considered for possible development.

Often, the wind farm layout goes through a series of iterations. Each turbine is micro-sited in relation to wind potential, wildlife, permitting, and other environmental and cultural constraints. Specifically, the following guidelines may be used when siting each wind turbine:

- Distance from section line or road;
- Distance from occupied residence;
- Out of hydric soils of a wetland;
- Near edges of a grassland;
- Avoid land with encumbrances, easements or other restrictions;
- Distance from a missile site or military installations;
- Distance from another turbine in the predominant wind direction;
- Distance from a transmission line; and
- Potential impacts on human, cultural, environmental, and natural resources and populations.

Transmission Line Siting Parameters

A preferred transmission line route is chosen from a number of alternatives. The preferred route would be selected after assessing each alternative based on a series of project-specific criteria. The following specific guidelines may be used when siting transmission lines:

- Length of the transmission line;
- Right-of-way requirements and availability;
- Land use considerations such as visual impacts, proximity to residences, and impact on agricultural activities as well as existing and future land use;

- Environmental resource considerations such as impacts on cultural or biological resources such as wildlife, plants, and wetlands;
- Jurisdiction and regulatory considerations;
- Conflicts with airport height restrictions;
- Cost; and
- Requirements of Federal and state law.

The technical performance of each transmission line alternative must be checked with a system analysis to ensure the project meets National Electric Reliability Council standards. Often the termination points of a transmission line are dictated by a need to reinforce a certain area of the transmission system or to provide access for a new generation or load. Usually there is flexibility in the routes of a transmission alternative as long as the line is terminated at the critical sending and receiving locations.

There are a number of factors regarding transmission line placement that may be considered when evaluating the potential impact the transmission line may have to avian species. Among these factors are proximity, vegetation and topography. Engineering and economic concerns must also be considered.

Proximity refers to the distance of the transmission line to any area of prime habitat or potential stopover habitat such as shallow wetlands. The closer the transmission line is to the habitat, the greater the chance for potential collisions.

In instances where the transmission line may be near areas where birds concentrate (e.g., wetlands, stream crossings, historic staging areas, roosts and nesting colonies) Basin Electric will assess if bird diversion devices should be utilized. These devices enhance line visibility, and therefore can reduce the risk of collision.

6.0 Construction Design Standards and Development Practices

General Construction Standards

Basin Electric will use best management practices during construction to minimize impacts to avian and bat species and their habitats. Pre-construction surveys may or may not be conducted depending upon the project. Examples of potential pre-construction surveys are breeding bird surveys, raptor breeding surveys, habitat of concern surveys and lek identification surveys. If pre-construction surveys are conducted, appropriate actions will be taken during construction as a result of the survey(s).

Wetlands will be avoided to the extent practicable during the construction phase of any project. If impacts to United States Army Corp of Engineers (USACE) jurisdictional waters are unavoidable, then Basin Electric will seek coverage under a Section 404 USACE Nationwide Wetland Permit. Permanent impacts to jurisdictional waters will be mitigated according to USACE requirements.

Wind Farm Construction

The building of new roads for wind farm construction and maintenance will be minimized. The existing road system will be used to the extent possible. When additional access roads are necessary, they will generally be built on ridges away from wetlands. When possible, new roads will follow the route of underground collector lines to minimize surface disturbance, and minimizing the disturbance of natural prairie and habitat. Additional road width necessary for construction will be reclaimed after construction.

Typically, temporary meteorological towers associated with a wind farm will be removed when construction begins. Any permanent meteorological tower will be freestanding and have no guy wires except for unusual circumstances when no other operations are practicable. Basin Electric continues to monitor new technology advancements in the market to find additional, less intrusive ways to monitor meteorological conditions.

Training for construction personnel will be site specific. Any observation of threatened or endangered avian and bat species will be reported to state and Federal agencies according to site-specific protocol. In the event of a sighting, construction activities, including curtailing would proceed according to site-specific protocol. Additionally, trained biologists may be on site during construction. This will be determined on a project by project basis.

Basin Electric will use best management practices during construction and operation of any wind farm to protect topsoil and adjacent wetland resources and to minimize soil erosion. Practices may include containing excavated material, use of silt fences, protecting exposed soil, stabilizing restored material, and revegetating disturbed areas with native species to preserve habitat.

Transmission Line Construction

Basin Electric uses *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006* (APLIC 2006) and *Reducing Avian Collisions with Power Lines: The State of the Art in 2012* (APLIC 2012), or the most current versions of these documents as guidance. In general, in areas where electrocution may be a concern, a minimum of 150 cm (60 in) will be provided between phase conductors. Basin Electric builds and maintains transmission lines.

These transmission lines are constructed such that electrocution is typically not a concern. In some situations, perch deterrents may be necessary to discourage birds from landing on or utilizing areas where avian safety is a concern. A combination of the above options may be necessary to protect avian species to the extent possible.

7.0 Post-construction Monitoring and Reporting and Management

Active monitoring and/or use surveys for wind farms and transmission lines are not considered routine operation. Rather, incidental finds or finds resulting from maintenance activities would typically be documented and/or reported. All monitoring protocols, if necessary, will be developed on a site-specific basis. Depending upon the site or project, monitoring efforts may be very limited or unnecessary. If monitoring is appropriate, fatality monitoring and/or avian use surveys may be done.

Basin Electric considers incidental finds and reporting of avian and bat injuries or mortalities on the project site a basic job duty of all on-site personnel. All on-site personnel will be trained in appropriate procedures for identifying and reporting avian or bat injuries or mortalities.

Upon discovery of an injured or deceased avian or bat species on the project site, the following procedure will be followed by on-site personnel.

7.1 Wind Farm Operational Monitoring and Reporting

1. Do not remove, touch or move the bird or bat.
2. Photograph the bird or bat and complete the appropriate form.
3. If the bird or bat is a threatened or endangered species or otherwise a species of interest, such as a raptor, immediately notify the Distributed Generation Manager and Environmental Services of Basin Electric. Contact information for Environmental Services is provided on the form in Appendix C.
4. Environmental Services will work with trained biologists for proper handling of the bird or bat and notification of appropriate state and Federal agencies.
5. All completed forms, associated pictures, and any additional documentation will be forwarded to Environmental Services at Basin Electric headquarters in a timely manner.

7.2 Transmission Line Monitoring and Reporting

1. Do not remove, touch or move the bird or bat.
2. Complete the appropriate inspection in Minmax by contacting a TSM planner. Photograph the bird, bat or nest. The completed inspection is then automatically emailed to Environmental Services.
3. Environmental Services will work with trained biologists for proper handling of the bird or bat and notification of appropriate state and Federal agencies.
4. All completed forms, associated pictures, and any additional documentation will be forwarded to Environmental Services at Basin Electric headquarters in a timely manner.

7.3 Nest Management

Raptors and other avian species may use transmission line poles as a nesting site. The risk of avian electrocution with these nests is not high, but the nests may cause operation and maintenance issues. The Migratory Bird Treaty Act protects all active nests. A nest is

considered active if it has eggs or young birds. If an active nest has the potential to interfere with transmission line operations, the USFWS and the state game and fish department must be conferred with. The Migratory Bird Treaty Act prohibits the collecting of any active nest belonging to a migratory bird. Facility operators will at no time move or destroy any nest without receiving approval from Environmental Services of Basin Electric. Contact information for Environmental Services is provided on the form in Appendix B. Environmental Services will use environmental consultants, the USFWS, and the state game and fish department to determine the best course of action in each situation. Nests of eagles and threatened and endangered species may not be moved or destroyed at any time without consultation with the USFWS and the state game and fish department.

Avian species tend to nest in site specific locations. Therefore, moving a nest does not mean that the nest will not be re-built in the same location. As a result, nesting platforms may need to be utilized. If nesting platforms are to be used, they should be installed on or near the transmission tower that had been utilized for the avian nesting. A nearby, non-energized pole is preferred. The nesting platform should be installed in a way such that nesting materials and avian excrement will not contaminate the lines. If a platform is used, plastic poles, corrugated pipe, or other materials may be placed on the transmission structure to discourage the building of nests particularly in situations where nest building in general should be discouraged for the protection of people, the nesting birds, and/or the power system.

8.0 Consultation and Information Sharing

Basin Electric understands that a great deal of information regarding wildlife interactions with wind turbines, transmission lines and other structures may potentially be gained through the use of routine data collection and surveys. This information, in addition to information gained from other utilities, may result in better practices and new technology that provides more protection to wildlife, particularly avian and bat species. In efforts to facilitate this information gathering, Basin Electric will consider all requests for non-proprietary data and information.

Additionally, Basin Electric looks to the USFWS and state game and fish departments to provide consultation services and expert advice throughout the life of projects.

9.0 Mortality Reduction Measures

The information gained through risk management activities, along with additional data collection, will be analyzed by Basin Electric Environmental Services staff and/or wildlife consultants. This analysis will then be translated for future project development as best practices to prevent avian and bat mortality and injury. This information will also be used by Basin Electric to determine whether or not a mortality reduction plan for the project or site is warranted. The data collected through the implementation of the ABPP will also help determine the need for a mortality reduction plan.

If a mortality reduction plan is needed there are a number of elements that may be included. A risk assessment may provide information predicting the best approach. Biological and electrical design information should also be utilized to prioritize transmission poles, identify benefits and causes of injury or mortality to avian species and bats.

10.0 Avian and Bat Enhancement Options

Basin Electric has for many years provided excellent avian habitat through the use of reclaimed mine land, and other mitigation and reclamation projects and opportunities Basin Electric has also sought out opportunities to partner in habitat conservation with non-governmental organizations. In addition, Basin Electric welcomes collaboration between Basin Electric and volunteer groups and service organizations to enhance avian and bat populations.

11.0 Quality Control

Quality control and review is vital to ensuring that the ABPP accomplishes the goals set forth and remains a useful tool in avian and bat protection. Training will be conducted annually for facility maintenance staff. The ABPP will be reviewed and updated as needed by Basin Electric environmental and project staff, and/or consultants.

12.0 Key Resources

The following have been identified as key resources for the ABPP, particularly within Basin Electric's Service area.

U.S. Fish and Wildlife Service Migratory Bird Permit Regional Offices

Region 3: (Iowa, Illinois, Indiana, Minnesota, Missouri, Michigan, Ohio, Wisconsin)

U.S. Fish and Wildlife Service Migratory Bird Permit Office

One Federal Drive

Fort Snelling, MN 55111

Telephone (612) 713-5436

Fax: (612) 713-5393

Email: permitsR3MB@fws.gov

Region 6: (Colorado, Kansas, Montana, North Dakota, Nebraska, South Dakota, Utah, Wyoming)

U.S. Fish and Wildlife Service Migratory Bird Permit Office

P.O. Box 25486 DFC (60154)

Denver, CO 80225-0486

Telephone: (303) 236-8171

Fax: (303) 236-8017

Email: permitsR6MB@fws.gov

U.S. Fish and Wildlife Service Office of Law Enforcement

National Headquarters

Office of Law Enforcement

U.S. Fish and Wildlife Service

4401 North Fairfax Drive,

MS-LE-3000

Arlington, Virginia, USA 22203

Telephone: (703) 358-1949

Fax: (703) 258-2271

Great Lakes – Big Rivers Region (3): Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Wisconsin

U.S. Fish and Wildlife Service

Office of Law Enforcement

One Federal Drive

Fort Snelling, Minnesota, USA 55111-0045

Telephone (612) 713-5320

Fax: (612) 713-5283

Mountain-Prairie Region (6): Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, Wyoming

U.S. Fish and Wildlife Service

Office of Law Enforcement

P.O. Box 25486 - DFC

Denver, Colorado USA 80225

Telephone: (303) 236-7540
Fax: (303) 236-7901

U.S. Fish and Wildlife Service Ecological Services Field Offices

U.S. Fish and Wildlife Service
Montana Ecological Services Field Office
585 Shepard Way
Helena, MT 59601
Telephone: (406) 449-5225
Fax: (406) 449-5339
Email: MontanaFieldOffice@fws.gov
<http://www.fws.gov/montanafieldoffice>

U.S. Fish and Wildlife Service
Nebraska Ecological Services Field Office
203 West Second Street
Federal Building, Second Floor
Grand Island, NE 68801-5907
Telephone: (308) 382-6468
Fax: (308) 384-8835
Email: June_Deweese@fws.gov
<http://www.fws.gov/mountain-prairie/es/Nebraska/index.htm>

U.S. Fish and Wildlife Service
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926
Telephone: (701) 250-4481
Fax: (701) 355-8513
Email: northdakotafieldoffice@fws.gov
<http://www.fws.gov/northdakotafieldoffice>

U.S. Fish and Wildlife Service
South Dakota Ecological Services Field Office
420 S. Garfield Avenue, Suite 400
Pierre, SD 57501-5408
Telephone: (605) 224-8693
Fax (605) 224-9974
Email: southdakotafieldoffice@fws.gov
<http://www.fws.gov/southdakotafieldoffice>

U.S. Fish and Wildlife Service
Wyoming Ecological Services Field Office
5353 Yellowstone Road, Suite 308A
Cheyenne, WY 82009
Telephone: (307) 772-2374
Fax: (307) 772-2358
<http://www.fws.gov/wyominges>

U.S. Fish and Wildlife Service National Eagle Repository

U.S. Fish and Wildlife Service
National Eagle Repository
Rocky Mountain Arsenal, Building 619
Commerce City, CO 80022
Telephone: (303) 287-2110
Fax: (303) 287-1570
<http://mountain-prairie.fws.gov/law/eagle>

Code of Federal Regulations (CFR) websites

Main CFR webpage
<http://gpoaccess.gov/cfr/>

List of migratory birds, 50CFR10.13

http://a257.g.akamaitech.net/7/257/2422/01dec20031500/edocket.access.gpo.gov/cfr_2003/oct_qtr/50cfr10.13.htm

General permit procedures, 50CFR13

http://access.gpo.gov/nara/cfr/waisidx_03/50cfr13_03.html

Endangered and threatened wildlife and plants, 50CFR17

http://access.gpo.gov/nara/cfr/waisidx_03/50cfrv2_03.html

Migratory bird permits, 50CFR21

http://access.gpo.gov/nara/cfr/waisidx_03/50cfr21_03.html

Eagle permits, 50CFR22

http://access.gpo.gov/nara/cfr/waisidx_03/50cfr22_03.html

State Agencies

Iowa Department of Natural Resources
502 E. 9th Street
Des Moines, IA 50319-0034
Telephone: (515) 281-5918
Fax: (515) 281-8895
Email: webmaster@dnr.iowa.gov
<http://www.iowadnr.gov/>

Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4040
Telephone: (651) 296-6157
Email: info@dnr.state.mn.us
<http://www.dnr.state.mn.us>

Montana Department of Fish, Wildlife and Parks
1420 East Sixth Avenue
P.O. Box 200701
Helena, MT 59620-0701
Telephone: (406) 444-2535

Fax: (406) 444-4952
E-mail: fwpgen@mt.gov
<http://fwp.mt.gov/default.html>

Nebraska Game and Parks Commission
2200 N 33rd Street
Lincoln, NE 68503
Telephone: (402) 471-0641
Email: ngpc.webmaster@nebraska.gov
<http://www.ngpc.state.ne.us>

North Dakota Game and Fish Department
100 N Bismarck Expressway
Bismarck, ND 58501-5095
Telephone: (701) 328-6300
Fax: (701) 328-6352
Email: ndgf@nd.gov
<http://gf.nd.gov/>

South Dakota Department of Game, Fish and Parks
523 East Capitol Avenue
Pierre, SD 57501
Telephone: (605) 773-3485
Email: Wildinfo@state.sd.us
<http://www.sdgfp.info/Index.htm>

Wyoming Game and Fish Department
5400 Bishop Boulevard
Cheyenne, WY 82006
Telephone: (307) 777-4600
<http://gf.state.wy.us/>

Consultants

Corporate Headquarters

Western EcoSystems Technology, Inc. (WEST)

2003 Central Avenue
Cheyenne, Wyoming 82001
Phone: (307) 634-1756
Fax: (307) 637-6981
Email: admin@west-inc.com
<http://www.west-inc.com/index.php>

Midwest-West Region

Western EcoSystems Technology, Inc. (WEST)

Bismarck Branch Office
4007 State Street, Suite 109
Bismarck, North Dakota 58503
Phone: (701) 250-1756

13.0 Appendices

- 13.1 *Appendix A – Dead or Injured Bird Form – Transmission Line and Substation***
- 13.2 *Appendix B – Nest Form – Transmission Line and Substation***
- 13.3 *Appendix C – Dead or Injured Bird or Bat Form – Wind Farm***
- 13.4 *Appendix D - Whooping Crane Notification Form - Wind Farm***

Dead or Injured Bird Form – Transmission Line or Substation

This form will be completed using the Minmax Inspection tool. Screenshot of actual inspection questions below:

No.	Status	Question	Action	Results	Comments	Question History
1		Take a photograph of the bird	Inspected	App. Stat 2/1 (blue)	<input type="checkbox"/> Add Comment Here...	
2		If the bird has a band and is it's visible take a picture of it.	Inspected	App. Stat 2/1 (blue)	<input type="checkbox"/> Add Comment Here...	
3		Provide a description of location appropriate from a structure or piece of equipment in comments	Inspected	App. Stat 2/1 (blue)	<input type="checkbox"/> Add Comment Here...	

Notification to USFWS (if necessary) _____ Date _____

Notification to State Game and Fish (if necessary) _____ Date _____

Corrective Action (if necessary) _____ Date _____

Environmental Services Contacts

1. Erin Fox Dukart – Office: (701) 557-5557; Cell: (701) 426-8116
2. Kevin Solie – Office (701) 557-5495; Cell: (701) 202-5096

Nest Form – Transmission Line or Substation

This form will be completed using the Minmax Inspection tool. Screenshot of actual inspection questions below:

No.	Status	Question	Action	Results	Comments	Question History
1		Take a photograph of the nest	Inspected	Any Text or Other	Type Comment Here...	
2		Is the nest active if yes take a picture of the bird if possible?	Inspected	Yes	Type Comment Here...	
3		Provide a description of location approximate from a structure or piece of equipment in comments	Inspected	Any Text or Other	Type Comment Here...	

Notification to USFWS (if necessary) _____ Date _____

Notification to State Game and Fish (if necessary) _____ Date _____

Corrective Action (if necessary) _____ Date _____

Environmental Services Contacts

1. Erin Fox Dukart – Office: (701) 557-5557; Cell: (701) 426-8116
2. Kevin Solie – Office (701) 557-5495; Cell: (701) 202-5096

Dead or Injured Bird or Bat Form – Wind Farm (Adapted from APLIC 2006)

Date of Form Completion: _____ Name of Wind Farm: _____

AVIAN/BAT INFORMATION

Avian Species

- Bald Eagle
- Golden Eagle
- Whooping Crane
- Hawk (specify if possible): _____
- Owl (specify if possible): _____
- Waterfowl (specify if possible): _____
- Other (specify if possible): _____

If unable to identify, please describe:

Bat Species

Please describe:

Bird or Bat Count: _____ Did avian/bat die: Yes No

If any bands or tags, please notify Environmental Services and write the tag/band number and agency _____

Physical Condition of Bird or Bat: (Body intact, just feathers, type of injury, etc).

Sign of Death or Injury (circle one) Collision Electrocutation Shot Roadkill
Unknown Other: _____

Date Found: _____ Time Found: _____

If known, describe how the bird or bat was injured or died (bird contacted transformer bushings, turbine collision, etc.) _____

Weather conditions at time of death if known (e.g. rainy and cold, sunny and warm, etc)

Status of carcass/remains: No carcass Left on-site

LOCATION INFORMATION

Closest Turbine Identification No. _____

County and State: _____

Finder's Last Name: _____ First Name: _____

Location Description (Include nearest structure, distance from structure, etc.)

Description of Terrain and Vegetation in Area (e.g. near agriculture area, near wetlands, rugged terrain, native prairie, dense city area, residential housing, etc.)

Nest visible nearby? If so, please provide detailed description of the size and location of the nest. _____

Comments/Additional Information:

Notification to USFWS (if necessary) _____ Date _____

Notification to State Game and Fish (if necessary) _____ Date _____

Corrective Action (if necessary) _____ Date _____

Environmental Services Contacts

1. Steve Smokey – Office (701) 557-5180; Cell: (701) 204-8197
2. Erin Fox Dukart – Office: (701) 557-5557; Cell: (701) 426-8116
3. Kevin Solie – Office (701) 557-5495; Cell: (701) 202-5096
4. Joe Fiedler - Office (701) 557-5094; Cell: (701) 390-3633

PrairieWinds Whooping Crane Notification

Date: _____

Time: _____

Name of Person Calling: _____

Phone Number of Caller: _____

Description of the Bird: _____

Sighting Location: _____

If Killed or Wounded, Location: _____

The Following People Need to be Notified Immediately:

1. Joe Fiedler - Office: (701) 557-5094; Cell: (701) 390-3633
2. Erin Fox Dukart - Office: (701) 557-5557; Cell: (701) 426-8116
3. Kevin Solie - Office: (701) 557-5495; Cell: (701) 202-5096
4. Steve Smokey - Office: (701) 557-5180; Cell: (701) 204-8197
5. Lindsey Chumley - Office: (701) 557-5038; Cell: (701) 400-8784

Date of Turbine(s) Shutdown: _____ Time of Turbine(s) Shutdown: _____

Wind Turbine ID Number(s) Shutdown: _____

Date of Turbine Restart: _____ Time of Turbine Restart: _____

Date the Park was Shutdown: _____ Time the Park was Shutdown: _____

Additional Comments:

Name: _____

Whooping Crane Migration Season:

- April 1st to May 15th
September 10th to October 31st

Cooperative_Plan_2022

Final Audit Report

2022-08-22

Created:	2022-08-22
By:	Glynda Janz (gjanz@bepc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAhkyiq8kQQSgdTGr5QoCeh-AoPkkVKRtR

"Cooperative_Plan_2022" History

-  Document created by Glynda Janz (gjanz@bepc.com)
2022-08-22 - 3:59:40 PM GMT- IP address: 216.235.161.1
-  Document emailed to ttelesz@bepc.com for signature
2022-08-22 - 4:00:24 PM GMT
-  Email viewed by ttelesz@bepc.com
2022-08-22 - 5:34:52 PM GMT- IP address: 216.235.161.1
-  Signer ttelesz@bepc.com entered name at signing as Todd E. Telesz
2022-08-22 - 5:35:13 PM GMT- IP address: 216.235.161.1
-  Document e-signed by Todd E. Telesz (ttelesz@bepc.com)
Signature Date: 2022-08-22 - 5:35:14 PM GMT - Time Source: server- IP address: 216.235.161.1
-  Agreement completed.
2022-08-22 - 5:35:14 PM GMT

Appendix F

Scoping and Consultation Request Sample



ENVIRONMENTAL & STATISTICAL CONSULTANTS

4007 State Street, Suite 109 Bismarck, North Dakota 58503
Phone: 701-250-1756 • www.west-inc.com

March 9, 2023

Name
Position
Organization
Address
City, State Zip

**RE: Roundup to Kummer Ridge 345-kV Transmission Line Project
Basin Electric Power Cooperative**

Dear Sir or Madam,

Basin Electric Power Cooperative (Basin Electric) is proposing to develop the Roundup to Kummer Ridge 345-kV Transmission Line Project (Project). Basin Electric plans to submit a consolidated application for a Certificate of Corridor Compatibility and Transmission Facility Route Permit for the Project to the North Dakota Public Service Commission (Commission). Construction would commence in 2nd quarter 2024. The project would provide redundancy and reliability for the electrical transmission system servicing the region.

The project would be approximately 32.5 miles long and connect the existing Kummer Ridge Substation, located 0.7 miles southeast of Johnsons Corner, to the existing Roundup Substation, located 2.8 miles north of Killdeer, North Dakota. The Project would be located in McKenzie and Dunn Counties. A portion of the project would be located on the Fort Berthold Indian Reservation (FBIR), for which Basin Electric is applying for separate authorization(s) from the Bureau of Indian Affairs. Legal locations for the project are as follows.

Section	Township	Range	County
3	145 N	95 N	Dunn
6, 7, 8, 16, 17, 21, 22, 27, 34	146 N	95 N	Dunn
19, 30, 31	147 N	95 N	Dunn
2, 11, 12, 13, 24	147 N	96 N	Dunn
6*, 7*	148 N	95 N	Dunn
1*, 12*, 13*, 24*, 25*, 35, 36	148 N	96 N	Dunn
6, 7, 18, 19, 20, 27, 28, 29, 33*, 34*	149 N	95 N	McKenzie
1	149 N	96 N	McKenzie
23, 25, 26, 36	150 N	96 N	McKenzie

* Route crosses FBIR managed lands

The transmission line would be constructed using either single-pole or H-frame self-supporting structures. Typical transmission structures would range in height from 70 to 115 feet, with span

Roundup to Kummer Ridge 345-kV Transmission Line Project
Basin Electric Power Cooperative

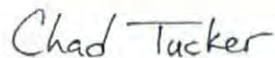
distances ranging from approximately 350 feet to 1,100 feet depending on topography. Taller structures would be used for crossing existing distribution/transmission lines and where difficult terrain exists. The standard right-of-way (ROW) width would be 150 feet wide. ROW widths up to 350 feet would be needed for significantly longer spans (>1,300 feet).

The Project would include new construction and new right-of-way for approximately 21.0 miles. The Project would parallel an existing transmission line(s) for approximately 11.5 miles.

The purpose of this letter to provide notification of the proposed Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the project.

Basin Electric respectfully requests your response within 30 days of receipt of this letter. If no reply is received, it will be assumed that you have no comment on the Project. WEST has been retained by Basin Electric to provide environmental consulting support for this Project. Should you have any question or require additional information, please contact me at (307) 772-1083 or ctucker@west-inc.com.

Sincerely,



Chad Tucker
Wildlife Biologist / Project Manager

Attachment: Project Maps
cc: Project Files

Appendix G

Scoping and Consultation Responses



Three Affiliated Tribes
MHA Nation Energy Division
305 4th Ave. Suite 3100, New Town, ND 58;
Phone: 701.627.5154
Fax: 701.627.5105



February 21, 20223

MHA Energy attended the On-site of June 30, 2023, the TAT Energy Department

Feel the submitted proposed route is acceptable and Give Concurrence to proceed with said

345-k V transmission line across the FBIR.

Keith Bear
Realty Specialist MHA Nation



April 12, 2023

Chad Tucker
Wildlife Biologist / Project Manager
West Environmental & Statistical Consultants
4007 State Street, Suite 109
Bismarck, North Dakota 58503

**ND SHPO Ref.: 23-5553 Roundup to Kummer Ridge 345-kV Transmission Line Project
Basin Electric Power Cooperative**

Dear Chad,

We reviewed ND SHPO Ref.: 23-5553 Roundup to Kummer Ridge 345-kV Transmission Line Project Basin Electric Power Cooperative and we would request Class I Literature Review of the APE and look forward to reading the report.

Thank you for the opportunity to review this project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577, e-mail lsteckler@nd.gov

Sincerely,

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

23-5553



March 17, 2023

Natural Resources
Conservation Service

Bismarck State Office
PO Box 1458
Bismarck, ND
58502-1458

Voice 701.530.2000
Fax 855-813-7556

Chad Tucker
WEST, Inc.
4007 State Street, Suite 109
Bismarck, ND 58503

Dear Mr. Tucker:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated March 9, 2023 concerning the Roundup to Kummer Ridge 345-kV Transmission Line Project in Dunn and McKenzie Counties, North Dakota.

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use when federal funding is used. Farming and ranching activities in this project area will not be significantly impacted due to minimal acreage and distance between transmission structures, therefore; FPPA does not apply.

If you have additional questions pertaining to FPPA, please contact Wade Bott, State Soil Scientist, NRCS, Bismarck, North Dakota at (701) 530-2021.

Sincerely,

WADE BOTT

Digitally signed by WADE BOTT
Date: 2023.03.17 12:05:27 -05'00'

WADE D. BOTT
State Soil Scientist



Chad Tucker <ctucker@west-inc.com>

SOV - West - Basin Electric - Roundup to Kummer Ridge 345-kV Transmission line project

1 message

Swanberg, Samantha N CIV (USA) <Samantha.N.Swanberg@usace.army.mil>

Wed, Apr 12, 2023 at 8:35 AM

To: "ctucker@west-inc.com" <ctucker@west-inc.com>

Cc: "Nygard, Jeremy S CIV USARMY CENWO (USA)" <Jeremy.S.Nygard@usace.army.mil>

Mr. Tucker,

Our office has reviewed the information regarding the proposed Roundup to Kummer Ridge 345-kV Transmission Line project and determined that a U.S. Army Corps of Engineers Section 404 Permit may be required. Please see attached letter, blank application form, and Nationwide permit 57 fact sheet.

Thanks,

Sam Swanberg

Regulatory Project Manager

U.S. Army Corps of Engineers


North Dakota Regulatory Office


3319 University Drive


Bismarck, ND 58504

(701)255-0015 (office)

3 attachments

 **NWP 57 Fact Sheet 2021.pdf**
333K

 **Eng_Form_6082_Sep 2022.pdf**
51K

 **NWO-2023-00464_20230412_SOV-NWP57.pdf**
102K



Our Vision: People and Business Succeeding with Quality Water Our Mission: Quality Water for Southwest North Dakota

March 17, 2023

Chad Tucker
West Environmental & Statistical Consultants
4007 State Street, Suite 109
Bismarck, ND 58503

RE: Roundup to Kummer Ridge 345-kV Transmission Line Project
 Basin Electric Power Cooperative

Dear Chad,

In response to your March 9, 2023, letter concerning the above referenced project, please be advised that the Southwest Water Authority (SWA) does have water pipelines and related appurtenances that may be impacted by your proposed project. The SWA facilities that may be impacted by your proposed project are located in Township 145-Range 95, Township 146-Range 95, Township 147-Range 95, and Township 147-Range 96. SWA requests that all of your proposed poles, H-braces, anchors, and ground rods be installed at least 15 feet from SWA facilities.

SWA does have hydraulic improvement plans to install water pipelines and related appurtenances in Township 147-Range 96-Section 24 of the Killdeer Mountain service area. These improvements will be constructed and operational prior to 2024. Feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Erickson".

Andrew Erickson
Water Distribution Manager, SWA

Cc: Jen Murray, Manager/CEO, SWA

United States Bureau of Land Management

USACE – Regulatory Office
Omaha District



SOV - West - Basin Electric - Roundup to Kummer Ridge 345-kV Transmission line project

1 message

Swanberg, Samantha N CIV (USA) <Samantha.N.Swanberg@usace.army.mil>

Wed, Apr 12, 2023 at 8:35 AM

To: "ctucker@west-inc.com" <ctucker@west-inc.com>

Cc: "Nygard, Jeremy S CIV USARMY CENWO (USA)" <Jeremy.S.Nygard@usace.army.mil>

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Thanks,

Sam Swanberg

Regulatory Project Manager

U.S. Army Corps of Engineers

North Dakota Regulatory Office

[3319 University Drive](#)

[Bismarck, ND 58504](#)

(701)255-0015 (office)

3 attachments



NWP 57 Fact Sheet 2021.pdf

333K



Eng_Form_6082_Sep 2022.pdf

51K



NWO-2023-00464_20230412_SOV-NWP57.pdf

102K

USACE
Garrison Project Office / Lake Sakakawea

USDA – Natural Resources of Conservation Service
Bismarck Office



United States Department of Agriculture

Natural Resources
Conservation Service

Bismarck State Office
PO Box 1458
Bismarck, ND
58502-1458

Voice 701.530.2000
Fax 855-813-7556

March 17, 2023

Chad Tucker
WEST, Inc.
4007 State Street, Suite 109
Bismarck, ND 58503

Dear Mr. Tucker:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated March 9, 2023 concerning the Roundup to Kummer Ridge 345-kV Transmission Line Project in Dunn and McKenzie Counties, North Dakota.

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use when federal funding is used. Farming and ranching activities in this project area will not be significantly impacted due to minimal acreage and distance between transmission structures, therefore; FPPA does not apply.

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Sincerely,

WADE BOTT Digitally signed by WADE BOTT
Date: 2023.03.17 12:05:27 -05'00'

WADE D. BOTT
State Soil Scientist

Helping People Help the Land

An Equal Opportunity Provider, Employer, and Lender

USDA – North Dakota Farm Services Agency



ENVIRONMENTAL & STATISTICAL CONSULTANTS

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

March 9, 2023

Brad Thykeson
USDA-North Dakota Farm Service Agency
1025 28th Street South
Fargo 58103

RECEIVED
MAR 17 2023
ND STATE FSA OFFICE

**RE: Roundup to Kummer Ridge 345-kV Transmission Line Project
Basin Electric Power Cooperative**

Dear Sir or Madam,

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23, 25, 26, 36	150 N	96 N	McKenzie

* Route crosses FBIR managed lands

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Roundup to Kummer Ridge 345-kV Transmission Line Project
Basin Electric Power Cooperative

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Sincerely,

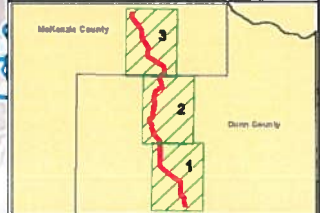
Chad Tucker

Chad Tucker
Wildlife Biologist / Project Manager

Attachment: Project Maps
cc: Project Files

Roundup To Kummer Ridge 345-kV Transmission Line
Dunn & McKenzie Co, ND

-  Proposed Transmission Line Route
-  1-Mile Buffer
- Surface Ownership**
 -  USFS
 -  BLM
 -  USACOE
 -  Tribal
 -  NDGFD
 -  NDPRD
 -  ND State Land Board
- NHD Features**
 -  Flowlines
 -  Waterbodies
- Roads**
 -  State Highways
 -  Other



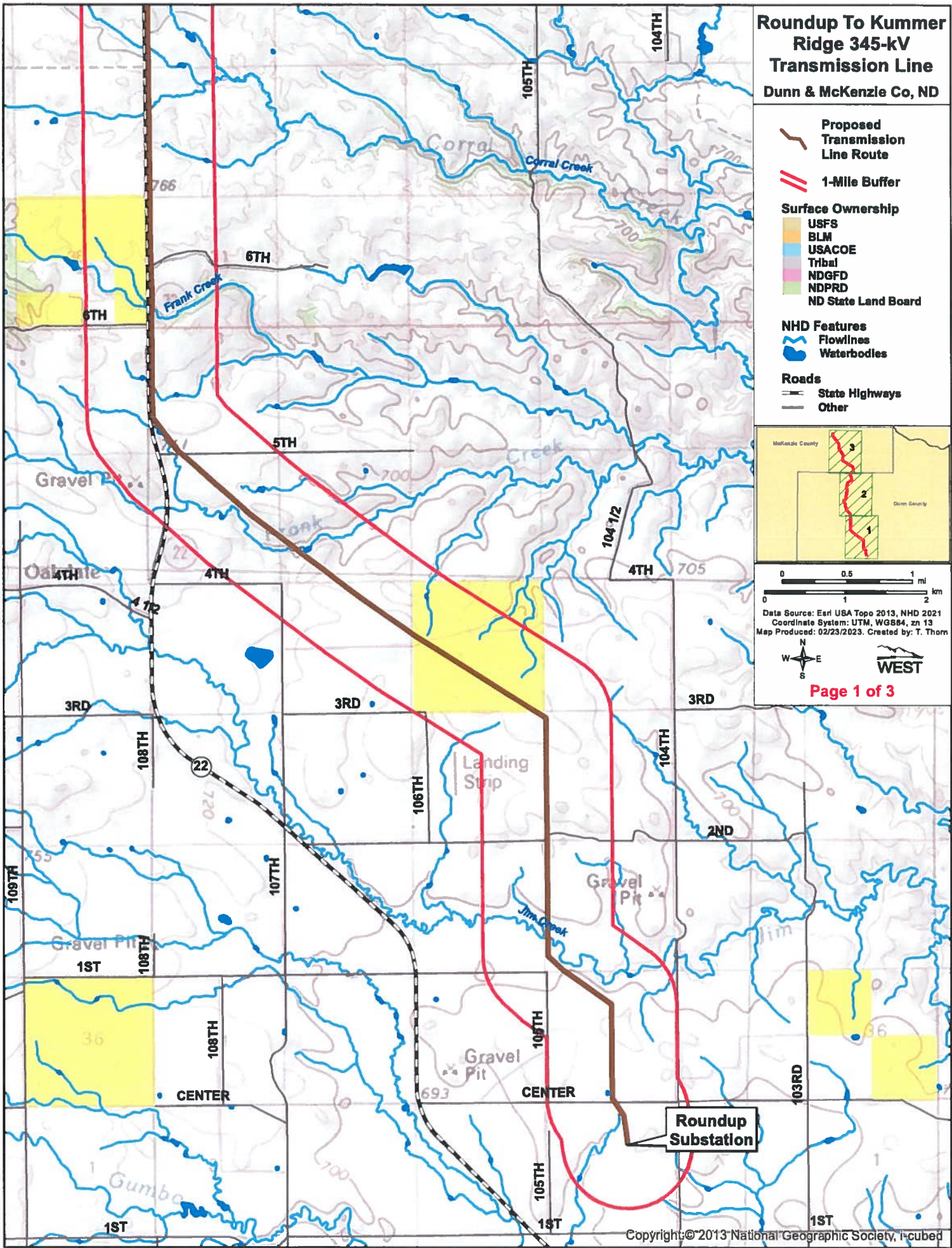
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Data Source: Esri USA Topo 2013, NHD 2021
 Coordinate System: UTM, WGS84, zn 13
 Map Produced: 02/23/2023. Created by: T. Thom

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WEST

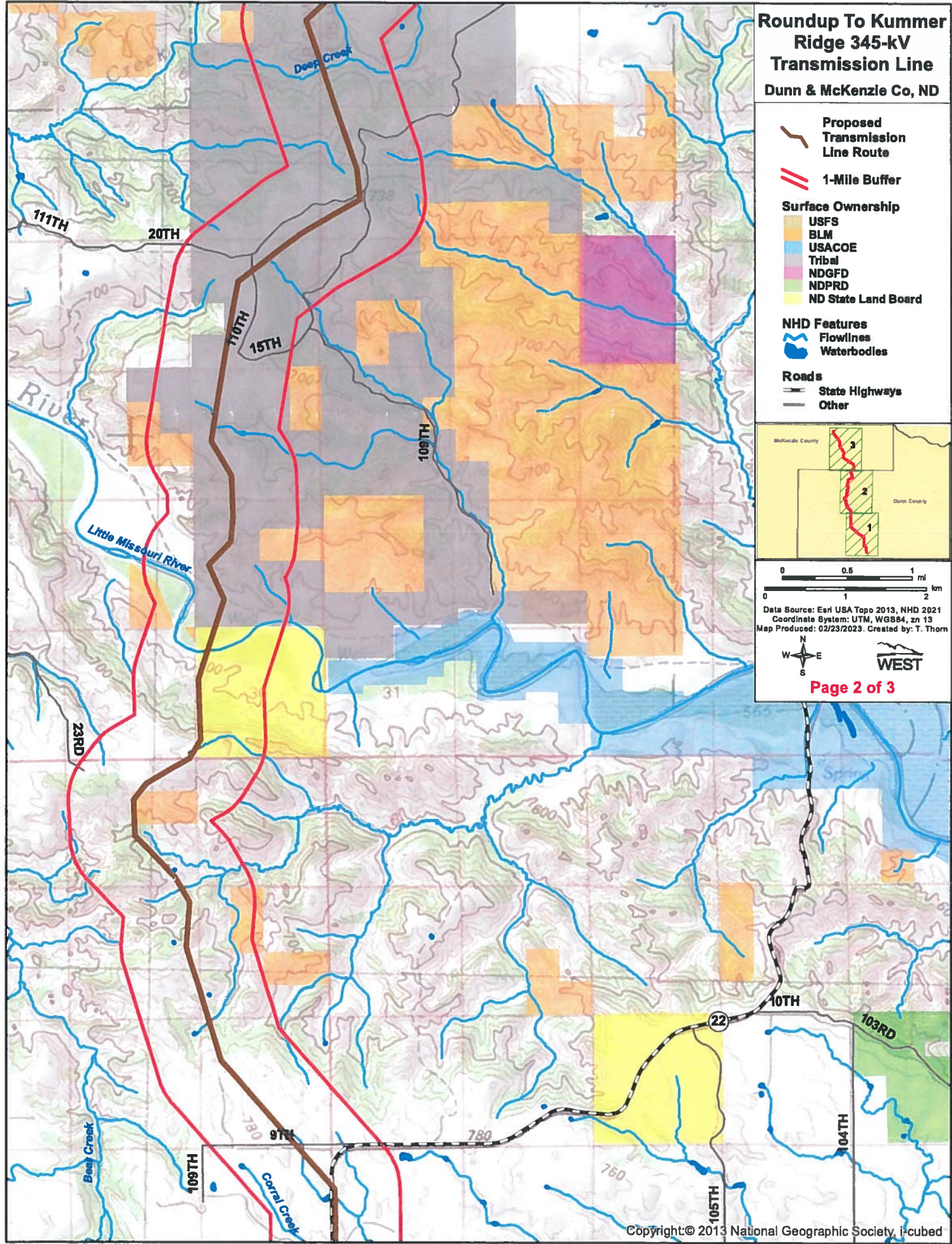
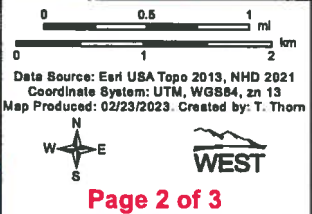
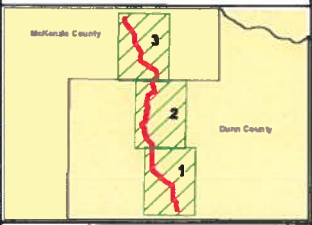
Page 1 of 3



Roundup To Kummer Ridge 345-kV Transmission Line

Dunn & McKenzie Co, ND

-  Proposed Transmission Line Route
-  1-Mile Buffer
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 -  USFS
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 -  Flowlines
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- Roads**
 -  State Highways
 -  Other



Roundup To Kummer Ridge 345-kV Transmission Line
Dunn & McKenzie Co, ND

 Proposed Transmission Line Route

 1-Mile Buffer

Surface Ownership

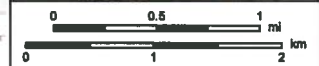
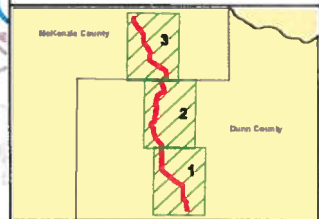
-  USFS
-  BLM
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NHD Features

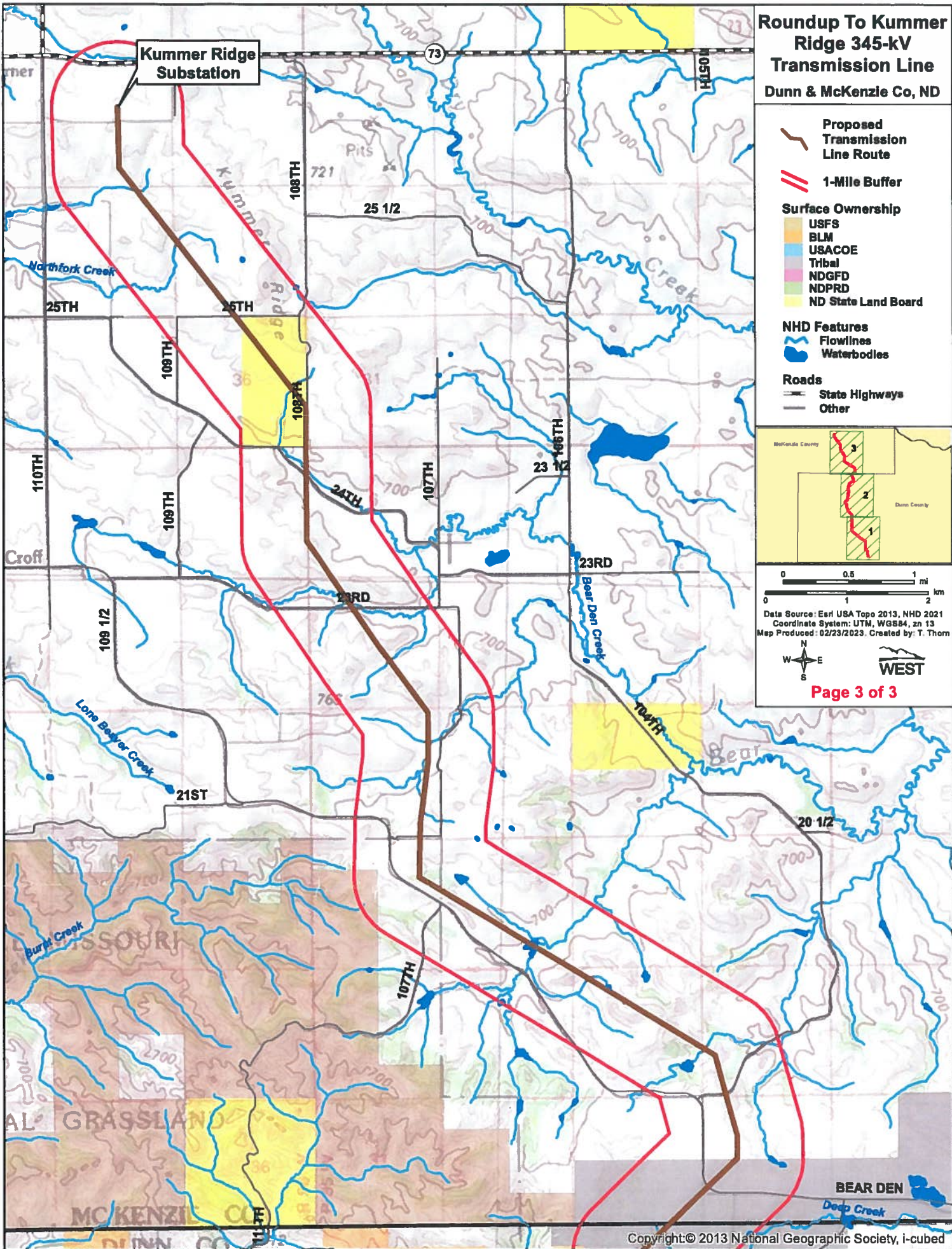
-  Flowlines
-  Waterbodies

Roads

-  State Highways
-  Other



Data Source: Esri USA Topo 2013, NHD 2021
 Coordinate System: UTM, WGS84, zn 13
 Map Produced: 02/23/2023. Created by: T. Thom




Re: Proposed Transmission Line

Chad Tucker <ctucker@west-inc.com>

Fri 10/27/2023 3:21 PM

To: Braton, Wanda - FPAC-FSA, ND <wanda.braton@usda.gov>
Cc: Peterson, Beau - FPAC-FSA, ND <Beau.Peterson@usda.gov>

 1 attachments (21 KB)

Roundup to Kummer Ridge Transmission_Route.zip;

Hi Wanda,

I have attached a zipped file containing the route shapefile for the Roundup to Kummer Ridge 345-kV Transmission Project. Thank you for your reply and please let me know if you need further details.

Chad

Chad Tucker
Consulting Biologist



Western EcoSystems Technology, Inc
Environmental & Statistical Consultants
4007 State Street, Suite 109
Bismarck, North Dakota 58503
307-772-1083
ctucker@west-inc.com

www.west-inc.com

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Please consider the environment before printing.

From: Braton, Wanda - FPAC-FSA, ND <wanda.braton@usda.gov>

Sent: Friday, October 27, 2023 2:29 PM

To: Chad Tucker <ctucker@west-inc.com>

Cc: Braton, Wanda - FPAC-FSA, ND <wanda.braton@usda.gov>; Peterson, Beau - FPAC-FSA, ND <Beau.Peterson@usda.gov>

Subject: Proposed Transmission Line

Chad

I'm writing this email in response to your letter, dated March 9, 2023, (see attached) regarding the proposed Roundup to Kummer Ridge 345-kV Transmission Line Project in McKenzie and Dunn Counties, North Dakota.

I realize that this project is scheduled to begin in the 2nd quarter of 2024; however, in order for our agency to ensure that no program contracts will be impacted by the project, I'm asking for a copy of the Shapefile pertaining to the described route. This information will be used by the ND State GIS Management Analyst, to assess the route to determine if there will be any programs impacted as a result of the project.

Please let me know if you have any questions.

Thanks

Wanda Braton

Conservation/Livestock Disaster Program Director

ND State FSA Office

USDA – Farm Service Agency

1025 28th Street South

Fargo, ND 58103

701-893-2231

Roundup to Kummer Ridge 345-kV Transmission Line Project

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Three Affiliated Tribes
MHA Nation Energy Division



Three Affiliated Tribes
MHA Nation Energy Division
305 4th Ave. Suite 3100, New Town, ND 58;
Phone: 701.627.5154
Fax: 701.627.5105



February 21, 20223

MHA Energy attended the On-site of June 30, 2023, the TAT Energy Department

Feel the submitted proposed route is acceptable and Give Concurrence to proceed with said
345-k V transmission line across the FBIR.

Keith Bear
Realty Specialist MHA Nation

Job Service of North Dakota

North Dakota Aeronautics Commission

North Dakota Attorney General

North Dakota Department of Career and Technical Education

North Dakota Department of Commerce

North Dakota Department of Environmental Quality
Environmental Health Section

April 3, 2023

Chad Tucker, P.E.
Wildlife Biologist
WEST Environmental & Statistical Consultants
4007 State St., Suite 109
Bismarck, ND 58503

Re: Basin Electric Roundup to Kummer Ridge 345-KV Transmission Line in Dunn and McKenzie Counties

Dear Mr. Tucker:

The North Dakota Department of Environmental Quality has reviewed the information concerning the above-referenced project received at the department on March 15, 2023, with respect to possible environmental impacts.


1. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
2. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the re-establishment of vegetation or other permanent cover. Further information on the stormwater permit may be obtained from the department's website or by calling the Division of Water Quality (701-328-5210). Projects located within tribal boundaries are required to obtain a permit from the U.S. Environmental Protection Agency. Further information may be obtained from the U.S. EPA website or by calling the U.S. EPA – Region 8 at (303-312-6312). Counties may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local stormwater management considerations are addressed.
3. The proposed construction project may include individual projects located within Dunn and McKenzie counties. It is possible that some projects may be located over defined glacial drift aquifers, defined sensitive groundwater areas, or within wellhead or source water protection areas. Care should be taken to avoid spills of any materials that may have an adverse effect on groundwater quality. All spills must be immediately reported to this Department and appropriate remedial actions performed.

4. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the department's Division of Waste Management at (701) 328-5166.

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

LDG:ll
Attach.

Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality for projects that involve construction and environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be prohibited against compaction, vegetation loss and unnecessary damage.

Surface Waters

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be contained to minimize silt movement, nutrient upsurges, plant dislocations, and any physical chemicals, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the department's pesticide application permit with notification to the department.

Fill Material

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds; including, but not limited to, asphalt, tires, treated lumber, and construction debris. The department may require testing of fill material. All temporary fills must be removed. Debris and solid waste must be properly disposed or recycled. Impacted areas must be restored to near original condition.

North Dakota Department of Human Services

North Dakota Department of Transportation

North Dakota Department of Trust Lands
School / Surface Lands

North Dakota Forest Service

North Dakota Game and Fish Department
Conservation and Communication Division



March 31, 2023

Chad Tucker
Wildlife Biologist / Project Manager
WEST, Inc.
4007 State Street, Suite 109
Bismarck, ND 58503

Dear Mr. Tucker:

RE: Roundup to Kummer Ridge 345-kV Transmission Line Project

Basin Electric Power Cooperative is proposing to develop an approximately 32.5-mile-long transmission line to connect the existing Kummer Ridge Substation, located southeast of Johnsons Corner, to the existing Roundup Substation, located north of Killdeer, in McKenzie and Dunn Counties, North Dakota. The North Dakota Game and Fish Department has reviewed this project for wildlife concerns.

A primary concern is the possible disturbance of native prairie and wooded draws associated with construction of the transmission line and associated access roads. Avoidance of native prairie areas reduces impacts to a number of grassland species including many of the species of conservation priority. We ask that work within these areas be avoided to the extent possible, every effort be made to prevent destruction of woody vegetation, and disturbed areas be reclaimed to pre-project conditions.

The project route crosses the Little Missouri River. We recommend that overhead lines be marked when placed over perennial streams or sited in close proximity to large wetland complexes to minimize possible avian impacts. The publication "Reducing Avian Collisions with Power Lines: the State of the Art in 2012" provides a range of management options which can be used to reduce avian losses.

The National Wetland Inventory indicates a variety of wetlands within the proposed project corridor. Steps should be taken to protect any wetlands that cannot be avoided, no alterations should be made to existing drainage patterns, and above-ground appurtenances should not be placed in wetland areas. Unavoidable destruction or degradation of wetland acres should be mitigated in kind.

Aerial surveys should be conducted for raptor nests before construction begins. We recommend that a ½-mile construction buffer be implemented around active eagle nest sites (known occupied

Governor
Doug Burgum

Director
Jeb Williams

Deputy Director
Scott A. Peterson

within the past 5 years). Ms. Sandra Johnson, Conservation Biologist, may be contacted at 701-328-6327 for additional information on golden eagle nest sites in the state.

We do not believe this project will have significant adverse effects on wildlife or wildlife habitat, including species of conservation priority, provided these recommendations are implemented where appropriate.

Sincerely,


Greg Link
Chief
Conservation & Communications Division

(for)

North Dakota Geological Survey



March 20, 2023

Mr. Chad Tucker, Project Manager
WEST Environmental & Statistical Consultants
4007 State Street, Suite 109
Bismarck, ND 58503

Re: Basin Electric Power Cooperative (BEPC) Roundup to Kummer Ridge 345-kV
Transmission Line Project – McKenzie and Dunn Counties

The North Dakota Geological Survey appreciates the notification and opportunity to review and provide comment on this electrical transmission infrastructure project. The March 9, 2023 comment solicitation letter from West on behalf of BEPC was reviewed by our office on March 20, 2023.

A review of our Areas of Landslides maps indicates that there are several landslide areas mapped along the proposed Roundup to Kummer Ridge 345-kV Transmission Line study area corridor, particularly in the segments which traverses across the Little Missouri River Valley. These types of areas should be avoided whenever possible. Careful examination of potential slope stability hazards along this project corridor in these areas is recommended.

Our current Areas of Landslides maps along with our LiDAR elevation mapping and data products, for the 1:24,000 quadrangles that cover the proposed transmission line route can be found on our website at:

<https://www.dmr.nd.gov/ndgs/landslides/>

You may also contact our offices directly, with any additional questions or comments, at (701) 328-8000.

Sincerely,

North Dakota Geological Survey:

Fred Anderson
Geologist

North Dakota Indian Affairs Commission

North Dakota Industrial Commission
Pipeline Authority

North Dakota Labor Department

North Dakota Office of the Governor

North Dakota Parks and Recreation Department

April 26, 2023

Chad Tucker
West Environmental and Statistical Consultants
4007 State Street, Suite 109
Bismarck, ND 58503

Re: Roundup to Kummer Ridge 345-kV Transmission Line Project

Dear Chad,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-referenced proposed Basin Electric Transmission Line project in Dunn and McKenzie Counties, North Dakota.

NDPRD's scope of authority and expertise covers properties that NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); rare plants; and ecological communities established through the Natural Heritage Program.

The project does not appear to affect properties NDPRD owns, leases, or manages.

The project does not appear to affect any properties protected under Section 6(f) of the LWCF.

A North Dakota Natural Heritage biological conservation database query determines if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, no known plant and animal species of concern or significant ecological communities are documented within or immediately adjacent to the project site.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation. For additional information, please contact Kathy Duttonhefner at 701-328-5370, 701-220-3377 (cell), or kgduttonhefner@nd.gov.

Thank you for the opportunity to comment on the proposed project.

Sincerely,



Kathy Duttonhefner, Chief Natural Resources Division

North Dakota Natural Heritage Inventory
Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
<i>Artemisia cana/pascopyrum smithii</i> sparse shrubland	Silver Sage-western Wheatgrass Scrub	S2S3	GNR		149N096W - 25; 149N096W - 26; 149N096W - 36	McKenzie	1997-10-29	Medium	
<i>Distichlis spicata - hordeum jubatum/puccinellia nuttalliana</i> saline meadow	Saltgrass Saline Meadow	S2S3	GNR		145N095W - 04; 146N095W - 33; 145N095W - 06; 145N095W - 08; 145N095W - 05; 145N095W - 09; 146N095W - 31; 146N095W - 28; 146N095W - 34; 146N095W - 32; 146N095W - 29; 145N095W - 03	Dunn	1935-08-07		M
<i>Falco mexicanus</i>	Prairie Falcon	S3	G5		147N096W - 15; 147N096W - 21; 147N096W - 23; 147N096W - 11; 147N096W - 09; 147N096W - 16; 147N096W - 14; 147N096W - 13; 147N096W - 10; 147N096W - 22	Dunn	1980-06-07		M
<i>Pascopyrum smithii - bouteloua gracilis/carex filifolia prairie</i>	Western Wheatgrass Prairie	S3S4	GNR		146N096W - 01; 147N095W - 31; 146N096W - 11; 147N096W - 35; 146N096W - 12; 146N096W - 13; 147N096W - 36; 146N095W - 06; 146N095W - 07; 146N096W - 02	Dunn	1935-08-07		M
<i>Pascopyrum smithii - bouteloua gracilis/carex filifolia prairie</i>	Western Wheatgrass Prairie	S3S4	GNR		146N096W - 02; 146N096W - 03; 147N096W - 33; 147N096W - 34; 147N096W - 35; 146N096W - 01; 147N096W - 36; 146N096W - 12; 146N096W - 11; 146N096W - 10; 146N096W - 04	Dunn	1976		M
<i>Quercus macrocarpa/corylus cornuta</i> woodland	Bur Oak-hazelnut Woodland	S2	GNR		148N096W - 34; 148N096W - 22; 147N096W - 02; 148N096W - 36; 148N096W - 33; 148N096W - 25; 148N096W - 27; 148N096W - 35; 147N096W - 03; 148N096W - 23; 148N096W - 28; 148N096W - 26	Dunn	1976-07-30		M
<i>Stipa comata - bouteloua gracilis/carex filifolia prairie</i>	Needle-and-thread Mixed Grass Prairie	S2	GNR		146N095W - 29; 146N095W - 21; 146N095W - 19; 146N095W - 30; 146N095W - 28; 146N095W - 32; 146N095W - 33; 146N095W - 31; 146N095W - 20	Dunn	1935-08-07		M

North Dakota Soil Conservation Committee
North Dakota State University Extension

North Dakota State Water Commission

April 20, 2023

Chad Tucker
Wildlife Biologist/Project Manager
WEST Environmental & Statistical Consultants
4007 State Street, STE 109
Bismarck, ND 58503

Dear Mr. Tucker:

This is in response to your request for a review of the environmental impacts associated the Basin Electric Power Cooperative - Roundup to Kummer Ridge 345-kV Transmission Line Project.

The proposed project has been reviewed by Department of Water Resources, and the following comments are provided:

- There are no FEMA National Flood Insurance Program (NFIP) floodplains identified or mapped where the proposed project is to take place. No permit relative to the NFIP are likely required based on the current effective Flood Insurance Rate Map and State minimum standards. However, flood risk has been identified through the North Dakota Risk Assessment Mapservice and Base Level Engineering (BLE) (ndram.dwr.nd.gov). In the absence of FEMA NFIP data, BLE is often considered best available data and is recommended to be considered in the design process. The State of North Dakota has no formal NFIP permitting authority as all NFIP permitting decisions are considered by impacted NFIP participating communities, the community with zoning authority for the area in question. Please work directly with the local floodplain administrators of the zoning authorities impacted.
 - The Regulatory Division's Engineering and Permitting Section reviewed the project location and determined that no drainage permits, or construction permits for dikes, diversions, or restorations are likely required so long as any watercourses are not modified (i.e., deepened, widened, rerouted, etc.). Please contact the Regulatory Division at 701-328-4956 or dwrregpermits@nd.gov with any questions.
-
- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the Department of Water Resources Water Appropriation Division if you have any questions at 701-328-2754 or appropinfo@nd.gov.
 - The Department of Water Resources maintains a network of observation wells across the state for monitoring the water levels and quality in glacial and bedrock aquifers. These wells are often installed in road and highway rights-of-way to limit inconvenience to the adjacent landowners. Department of Water Resources observation wells have a

yellow protective casing extending between 1 and 3 feet above ground surface, and their locations are marked with a stake. If an observation well is encountered during project activities and must be removed, please contact the Water Appropriation Division. The Department of Water Resources hopes to keep all observation wells, but otherwise will ensure the well is properly abandoned.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or stevebest@nd.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steven Best", with a long horizontal flourish extending to the right.

Steven Best
Planner III

SB:dm/1570

State Historical Society of North Dakota
Archaeology Historic Preservation Office



April 12, 2023

Chad Tucker
Wildlife Biologist / Project Manager
West Environmental & Statistical Consultants
4007 State Street, Suite 109
Bismarck, North Dakota 58503

**ND SHPO Ref.: 23-5553 Roundup to Kummer Ridge 345-kV Transmission Line Project
Basin Electric Power Cooperative**

Dear Chad,

We reviewed ND SHPO Ref.: 23-5553 Roundup to Kummer Ridge 345-kV Transmission Line Project Basin Electric Power Cooperative and we would request Class I Literature Review of the APE and look forward to reading the report.

Thank you for the opportunity to review this project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577, e-mail lsteckler@nd.gov

Sincerely,

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

23-5553



September 29, 2023

Chad Tucker
West Environmental and Statistical Consultants
4007 State Street, Suite 109
Bismarck, ND 58503

ND SHPO Ref.: 23-5553 Basin Electric Power Cooperative Kummer Ridge in portions of Dunn and McKenzie Counties, North Dakota

Dear Chad,

We received the report for ND SHPO Ref.: 23-5553 titled "Basin Electrical Power Cooperative: Class III Cultural Resource Inventory for the Round Up to Kummer Ridge Project, Dunn and McKenzie Counties, North Dakota" from Metcalf Archaeological Consultants by J. Signe Snortland. We find the report acceptable and will add it to our Manuscript Collection.

We are reaching out to the involved federal agencies to clarify the federal nexus off of the Fort Berthold Reservation and will follow up with you regarding this project.

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 Margaret Patton, Research Archaeologist at (701) 328-3576 or mmpatton@nd.gov.

Sincerely,

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

23-5553



October 26, 2023

Chad Tucker
WEST
4007 State Street, Suite 109
Bismarck, ND 58503

SHSND Ref: 23-5553 BEPC Basin Electric Power Cooperative Kummer Ridge, Dunn and McKenzie Counties, North Dakota

Dear Chad,

We've reviewed project SHSND Ref: 23-5553 BEPC Basin Electric Power Cooperative Kummer Ridge, Dunn and McKenzie Counties, North Dakota as submitted to our office on March 9, 2023, and the subsequent Class III report by Metcalf Archaeological Consultants submitted on August 31, 2023. It is our understanding that the proposed project is to construct the Roundup to Kummer Ridge 345-kV Transmission Line connecting substations via transmission structures ranging from 70 to 115 feet above the surface.

As this project will require an application to the North Dakota Public Service Commission, we reviewed the project under the applicable state laws and there are significant sites that will be affected by this project. If the route cannot be adjusted to avoid these sites, these sites will require archaeological testing and evaluation to determine the extent of any impacts:

32DU342	32DU2306	32DU2575
32DU356	32DU2432	32DU2576
32DU1492	32DU2435	32DU2577
32DU1500 (32DU2209)	32DU2573	32MZ3500
32DU1884	32DU2574	

Please follow-up with our office regarding which sites will be avoided and which sites will be evaluated.

23-5553



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 Margie Patton, Research Archaeologist at 701-328-3576 or mmpatton@nd.gov.

Sincerely,

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

23-5553

Southwest Water Authority



Our Vision: People and Business Succeeding with Quality Water Our Mission: Quality Water for Southwest North Dakota

March 17, 2023

Chad Tucker
West Environmental & Statistical Consultants
4007 State Street, Suite 109
Bismarck, ND 58503

RE: Roundup to Kummer Ridge 345-kV Transmission Line Project
 Basin Electric Power Cooperative

Dear Chad,

In response to your March 9, 2023, letter concerning the above referenced project, please be advised that the Southwest Water Authority (SWA) does have water pipelines and related appurtenances that may be impacted by your proposed project. The SWA facilities that may be impacted by your proposed project are located in Township 145-Range 95, Township 146-Range 95, Township 147-Range 95, and Township 147-Range 96. SWA requests that all of your proposed poles, H-braces, anchors, and ground rods be installed at least 15 feet from SWA facilities.

SWA does have hydraulic improvement plans to install water pipelines and related appurtenances in Township 147-Range 96-Section 24 of the Killdeer Mountain service area. These improvements will be constructed and operational prior to 2024. Feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Erickson".

Andrew Erickson
Water Distribution Manager, SWA

Cc: Jen Murray, Manager/CEO, SWA

Western Area Water Supply Authority

Dunn County Commissioners

Dunn County Planning and Zoning Department

Dunn County Water Resources Board

Dunn County Weed Board

McKenzie County Commissioners

McKenzie County Planning and Zoning Department

McKenzie County Weed Board