

August 27, 2026

Via Electronic Mail & Hand Delivery

Mr. Brian Johnson
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

In re: Northern Divide Energy Storage, LLC
Northern Divide Energy Storage Project – Burke County
Amended Siting Application
Case No. PU-24-371

Dear Mr. Johnson:

Enclosed for filing in the above-referenced matter, please find eight copies of each of the following:

1. Burke County Building Permit Approval; and,
2. NDPDES General Permit for Stormwater Discharges from Construction Activity Notice of Coverage.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,



Casey A. Furey

CAF/lh
Enc.

cc: Victor Schock (via email)
Tracy Davis (via email)
Erik Edison (via email)

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Burke County Building Permit and NDPDES
General Permit for Storm Water Discharges –
Notice of Coverage

Northern Divide Energy Storage, LLC
Casey Furey, Crowley Fleck, PLLP

BURKE COUNTY, NORTH DAKOTA
BUILDING PERMIT

DATE 10-13-2025

PERMIT ISSUED TO NORTHERN DIVIDE ENERGY STORAGE, LLC

ADDRESS 700 UNIVERSE BOULEVARD, JUNO BEACH, FL 33408 PHONE 561-676-3680

FOR CONSTRUCTION OF A 100-MEGAWATT BATTERY ENERGY STORAGE SYSTEM WITH A FOUR HOUR DURATION

LOCATION (LEGAL DESCRIPTION) SE1/4 SECTION 17, TOWNSHIP 161 NORTH, RANGE 93 WEST

THIS CERTIFICATE, ISSUED ON THE BASIS OF APPROVED PLANS AS STATED ON THE "ZONING REQUEST APPLICATION" FORM, AUTHORIZES ONLY THE USE, ARRANGEMENT AND CONSTRUCTION SET FORTH IN SUCH APPROVED PLANS AND APPLICATIONS, AND NO OTHER USE, ARRANGEMENT OR CONSTRUCTION. ANY USE, ARRANGEMENT OR CONSTRUCTION AT VARIANCE WITH THAT AUTHORIZED SHALL BE DEEMED A VIOLATION OF THE REGULATION AND SUBJECT AS SUCH TO PENALTIES AS PRESCRIBED BY THE REGULATION AND/OR CERTIFICATE REVOCATION.

CONSTRUCTION MUST BE COMMENCED WITHIN ONE YEAR.

ALL CERTIFICATES SHALL EXPIRE ONE YEAR FROM DATE OF ISSUANCE UNLESS A LONGER PERIOD OF CONSTRUCTION IS AGREED TO IN WRITING AT THE TIME OF APPLICATION.

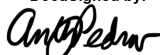
THIS NOTICE MUST BE POSTED IN A CONSPICUOUS PLACE ON OR NEAR THE CONSTRUCTION SITE.

ZONING FEE PAID YES


SIGNATURE ZONING ADMINISTRATOR

10-13-25
DATE

DocuSigned by:

 Anthony Pedroni Vice President October 15, 2025

F5C968BD9C2148B

SIGNATURE(S) OF APPLICANT(S) DATE

DocuSigned by:

 Anthony Pedroni Vice President October 15, 2025

F5C968BD9C2148B

SIGNATURE(S) OF LANDOWNER(S) DATE

March 23, 2026

North Dakota Pollutant Discharge Elimination System (NDPDES)
General Permit for Stormwater Discharges from Construction Activity
NOTICE OF COVERAGE

Permittee(s)

Owner Brian Burns
Contact: Northern Divide LLC
 700 Universe Blvd
 Juno Beach, FL 33408

Operator Alex Bakken
Contact: Michels Power, Inc.
 817 West Main Street
 Brownsville, ND 53006

Coverage under the 2025 reissued construction general permit (NDR110000) is identified as follows:

<u>Permit ID:</u>	<u>Site Name:</u>
NDR113724	Northern Divide Energy Storage

<u>Coverage Effective Date:</u>	<u>Coverage Expiration Date:</u>
March 23, 2026	March 31, 2030

Please remember to update the Stormwater Pollution Prevention Plan (SWPPP) as appropriate for site conditions. The best management practices (BMPs) and temporary structures must be inspected, maintained and adjusted until the site is stabilized following construction activities. Once the site is stabilized as outlined in the general permit, you may end permit coverage by filing a termination notice. Cities or counties may impose additional requirements and/or specific BMPs for construction affecting their storm drainage system. Please check with the local officials to be sure all local stormwater management considerations are addressed.

Additional Information

You can manage your permit coverage through the Combined Environmental Regulatory Information System – North Dakota (CERIS-ND) online portal at:

<https://ceris.deq.nd.gov/ext/ncore/external/home>

The construction general permit and related information may be found at:

https://deq.nd.gov/WQ/2_NDPDES_Permits/7_Stormwater/StW.aspx

Should you have any questions on the permit, please contact the Stormwater staff at (701) 328-5210 or email at stormwater@nd.gov.