

April 29, 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: Emmons-Logan Energy Storage, LLC
Emmons-Logan Battery Energy Storage System – Emmons County
Siting Application
Case No. PU-25-209

Dear Mr. Johnson:

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

1. Emmons County Building Permit;
2. Emmons County Haul Road Agreement;
3. Emmons County Driveway Approach Permit; and,
4. Project Dust Mitigation Plan.

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

Sincerely,

/s/ Casey A. Furey

Casey A. Furey

CAF/lh

Enc.

cc: Adam Renfandt (via email)
Tracy Davis (via email)
Erik Edison (via email)

49 PU-25-209 Filed 04/29/2026 Pages: 9
Emmons County Building Permit, Haul Road
Agreement, Driveway Approach Permit &
Project Dust Mitigation Plan

Emmons-Logan Energy Storage, LLC
Casey Furey, Crowley Fleck, PLLP

Revised: May 2023

EMMONS COUNTY BUILDING PERMIT APPLICATION

PO Box 776
Linton ND 58552-0776

THIS BUILDING PERMIT EXPIRES 1 YEAR AFTER IT IS APPROVED

Fee: \$300.00 Date: 3/16/26

Applicant's Name: Emmons-Logan Energy Storage, LLC

Address: 700 Universe Blvd., Juno Beach FL 33408

Phone #: Cell Phone # (561) 676-3680

Legal Description: 24 acres out of the W1/2, SW1/4 of Section 34, Township 134, Range 74 of the 5th P.M., in Emmons County, North Dakota

Section: 34 Township: 134 Range: 74 Parcel #:

Is Property located in Floodway/Floodplain? Yes No X Septic System? Yes No X

Check One: New Addition Remodeling Moving

Description of Work to be done: Construction of Energy Storage Facility, conditionally approved to construct and operate by the Emmons County Commission.

- Will the building be used for a: Residence Business Storage Other Industrial
- Size of Building: Length various Width various
- Will the building have a full basement? N Type of foundation: various
- Type of outside finish: Sided Brick Shingled Stucco Log Metal Other
- No. of stories: 1 Roofing: Asphalt Shingle Wood Shingle Metal Other
- Garage: Length Width Attached Detached
- General Contractor: Michels Power Inc. Phone # (763) 330-1601
- Date Construction to begin April/May 2026 Estimated Cost of completed work \$132,000,000

INCLUDE DRAWING WITH APPLICATION ALL APPLICATIONS MUST BE APPROVED BEFORE WORK BEGINS

A penalty of twice the permit cost, plus additional collection costs, will be levied against any person who does not get a building permit before work begins.

I hereby certify that the above statements are correct and that if building permit is issued, all work will be done in accordance with the regulations of said Zoning Board of Emmons County, North Dakota.

The list of set-backs can be found on the Emmons County website under the Tax Director tab.

Signed by: Dexter Liu Assistant Vice President
March 26, 2026
9A64B533FF024A4
Applicant's Signature

Building Permit Fee Schedule

(Amounts subject to change without notice)

Ordinance No. 98-9-1

A. General construction under \$2,000 cost	\$0.00
B. Residential or Commercial Construction from \$2,000 - \$10,000 cost	\$50.00
C. Residential or Commercial Construction from \$10,001 - \$100,000 cost	\$100.00
D. Residential or Commercial Construction over \$100,000 cost	\$300.00
E. Advertising signs	\$1/sq. foot
F. Geophysical & Seismographic Activity	\$1,000/month
G. Oil & Gas Drilling	\$.1,000/hole
H. Mobile Homes	\$100.00
I. Microwave or Communication Towers	\$100/tower
J. Steel Transmission Line Towers	\$25/tower
K. Commercial Feedlots	\$500.00

FILING

Filed this 7 day of April, 2026, in the office of the Secretary of the Zoning Board of Emmons County, North Dakota.

This permit expires on April 7, 2027 If work is not completed by then you will need to fill out an additional permit for all remaining work.


Secretary


Chair, Emmons County Commission Board


ZONING BOARD ACTION

The building permit application was duly Approved Disapproved
and Building Permit ordered Issued Not issued at a meeting of the Zoning Board of
Emmons County, North Dakota, this 7 day of April, 2026.


Chair, Emmons County Zoning Board

(SEAL)

ATTEST:


Secretary

**EMMONS COUNTY ROAD DEPARTMENT
AGREEMENT FOR USE AND RESTORATION OF HAUL ROAD**

Agreement No. _____ Dated this 7 day of April, 2024

WHEREAS, Emmons-Logan Energy Storage, LLC (hereinafter referred to as Permittee) has requested authorization to use Emmons County Roads 72nd St. SE and 21st Ave. SE

to haul equipment and materials as set forth in the attached report.

Type of material being hauled: Battery Storage Facility construction equipment

Quantity of material: 138 Battery containers, 46 Inverters, other necessary equipment

Start Date: 5/1/2026 Finish Date: 5/1/2027

WHEREAS, in order to complete project it has become necessary for the contractor to utilize a portion of the Emmons County Road System of Emmons County for the conveyance of equipment and materials;

and WHEREAS, the Permittee or its designee will restore that portion of said road system, after it has been used to convey said equipment and materials, to the condition which existed immediately prior to its use;

and WHEREAS, an inspection of the proposed route to be so utilized will be made, preferably not to exceed thirty days prior to expected initiation to its stated use, at which time the Emmons County Road Superintendent or his designee will determine and record the existing condition of the haul road, including the type, thickness and width of surfacing material in place;

and WHEREAS, Emmons County Road Superintendent or his designee and the Permittee (or an authorized agent thereof), after making said inspection and recording the existing conditions of the haul road, shall all sign the inspection report, agreeing to the conditions stated therein.

And WHEREAS, the Permittee agrees to maintain the haul road in a safe condition satisfactory to the Emmons County Road Department. Maintenance of non-gravel roads shall include blading of material, material replacement, dust control and snow removal as so determined. Maintenance of asphalt roads shall include repairing of road surface defects, deformities, and any other asphalt failures. All signing as determined shall be in accordance with the Manual of Traffic Control Devices;

And WHEREAS, any improvements, alternations or proposed changes to said route will be pre-approved by the Emmons County Road Superintendent in accordance with Emmons County's standard specifications for roads before such improvements, alternations or proposed changes take place.

NOW THEREFORE, in consideration of the premises, the mutual and independent covenants, all as hereinafter more fully set forth, the parties hereto agree as follows:

1. That the portion of the Emmons County Road System as shown above, is maintained by Emmons County and is that portion which is proposed for use as a haul road, and that, after use of said road as a haul road for the purposes herein set forth, the Permittee hereby agrees to maintain and restore to the satisfaction of the Emmons County Road Superintendent said road to its pre-existing condition, as reported in the Haul Road Inspection Report in accordance with measurements and observations at the time of inspection.
2. That Permittee shall comply with terms of the Risk Management Appendix which is appended hereto and incorporated herein by reference.
3. Other:

IN WITNESSS WHEREOF, the said parties hereto have caused this agreement to be signed by their representative and duly authorized officers.

Application Date: April 7, 2026

Permittee Name: Clint Scherb on behalf of Emmons-Logan Energy Storage, LLC

Address: 700 Universe Blvd, Juno Beach FL 33408

Phone Number: 5616763680

By: Signed by:
Dexter Liu Dexter Liu (Representative Signature)

Title: Assistant Vice President

FOR OFFICIAL USE ONLY

EMMONS COUNTY ROAD DEPARTMENT
7975 6TH AVE
LINTON, ND 585525

PHONE: 701-254-5491

APPROVED THIS DATE: April 7, 2026


EMMONS COUNTY COMMISSIONER OF DISTRICT


ROAD SUPERINTENDENT



MICHELLS[®]

**Dust Mitigation Plan –
Haul Route Addendum**

Emmons – Logan BESS

Date: 03/24/2026

WE DO THAT
— ... —
& MORE

6 Haul Route Addendum

6.1 Typical Delivery Traffic

Many construction materials will be delivered to the project site via standard commercial freight tractor/trailer combination and weights and are anticipated to be roughly one (1) truck per week on average. Meanwhile, a modest amount of delivery vehicles will consist of light individual parcels on box trucks (FedEx, UPS, and USPS); individual parcels are expected five to six (5-6) deliveries per week. As the nature and frequency of these deliveries could be considered normal traffic, no additional dust controls beyond speed control are anticipated. Speed signs for “construction traffic only” shall be posted along the active unpaved haul routes throughout the duration of construction. However, if any complaints are received, additional measures shall be considered. Some maintenance of unpaved surfaces along the haul route is anticipated over the course of construction. Refer to map at the end of this addendum for additional information on routing and other locations referenced below.

6.2 Battery Delivery Traffic

The delivery of battery units (LG JF2 DC-LINK) poses a potential need for additional dust mitigation controls due to the style of trailer and the higher frequency during the limited duration of deliveries. The trucks will be wider than a standard trailer and feature more axels. A total quantity of one-hundred thirty-four (134) batteries will be received at the site, averaging five deliveries per day over the course of five and one-half (5 ½) weeks.

During the delivery of the battery units, water and/or magnesium chloride shall be applied to any unpaved surface along the primary or alternate (if utilized) routes if conditions warrant. The application shall extend at least one hundred (100) yards beyond any structure designed for occupancy. Due to limited population density along the haul routes, it is not anticipated that coverage along the entire unpaved route is necessary. Although, application coverage will be continually assessed during the delivery schedule.

To reduce traffic impacts along the haul route, drivers shall be provided with one (1) hour delivery windows. The roadway (21st Ave SE) width near the construction entrance is sufficiently wide to accommodate traffic should a driver arrive early. However, should regular traffic become impacted from delivery traffic, drivers shall utilize the staging area (Cenex) in Hazelton, at the intersection of US-83 and ND-34.

6.3 Import/Export Delivery Traffic

All haul import/export related trucks shall be equipped with covers or shall maintain sufficient freeboard space to limit emissions during transport. The Civil design is balanced in terms of its import/export for site grading, so limited import/export related trucks are expected along the haul route during grading activities. During the construction of site access roads, a significant volume of belly dump and/or truck&pup haulers will be utilized. Although this will be short in duration, the frequency will be high. If conditions warrant, water and/or magnesium chloride applications shall be considered during these activities in locations near structures designed for occupancy as detailed in section 6.2. During below-grade electrical installation, import/export traffic will average two to three (2-3) vehicles per week, over five (5) weeks. With the use of covers on these material hauling vehicles and their limited frequency during below-grade electrical, no additional controls beyond speed controls are expected to be necessary. However, if any complaints are received, additional measures shall be considered. During the installation of top rock, vehicle traffic will significantly increase in frequency over a short duration. An average of ten (10) haul trucks per day are expected over the course of one (1) week. If conditions warrant, water and/or magnesium chloride applications should be considered during these construction activities near structures designed for occupancy as detailed in section 6.2.