

TOPSOIL STRIPPING REPORT

Emmons Logan Energy Storage Case No. PU-25-209

May 5-6, 2026



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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a Registered Professional Engineer under the laws of the State of North Dakota.

A handwritten signature in blue ink that reads "Travis G. Johnson".

Travis G. Johnson
North Dakota PE #5746

7/16/2026

Date

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1 INTRODUCTION

Houston Engineering has contracted with the State of North Dakota acting through the Public Service Commission to perform construction inspections applying engineering and science principles for the purpose of ensuring that energy conversion and transmission facilities authorized by the State are constructed in compliance with siting laws, siting rules, and applicable Commission orders.

1.1 INSPECTION CRITERIA

Topsoil stripping, stockpiling, restoration and reclamation are to be done in compliance with siting laws and produce minimal adverse effects on the environment and welfare of the citizens of North Dakota.

1.1.1 CERTIFICATION RELATING TO ORDER PROVISIONS

The Certification Relating to Order Provisions for Energy Conversion Facility Siting binds Emmons-Logan Energy Storage LLC with the requirement to carefully strip and segregate topsoil from subsoil to a depth of 12 inches or the depth of cultivation, whichever is greater, over and along trench areas, roadways and locations of associated facilities. The topsoil must not be stockpiled in natural drainages and must be protected from water erosion. Care must be taken to protect topsoil from unnecessary compaction by heavy machinery. Unless otherwise approved by the Commission, topsoil must be removed before topsoil freezes in the late fall/early winter to the point that frost inhibits proper soil segregation. After backfilling with subsoil is completed, any excess subsoil must be placed over the existing excavation area, blending the grade into existing topography. Topsoil must be replaced over areas from which it was stripped only after the subsoil is replaced.

1.1.2 FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Findings of Fact, Conclusions of Law and Order states that the Project is not anticipated to have a significant adverse impact on surface or ground water resources or soils. Temporarily disturbed areas will be restored and seeded. Emmons-Logan Energy Storage will utilize best management practices to prevent soil erosion and minimize impacts on ground and surface water.

2 EXECUTIVE SUMMARY OF FINDINGS

The Project is located on approximately 24 acres in the west half (W1/2) of the southwest quarter (SW ¼) of Section 34, Township 134 North, Range 74 West of the fifth principal meridian in Emmons county, North Dakota with a street address of 7196 21st Ave SE, Kintyre, ND 58549. A project kickoff meeting was conducted on site the morning of May 5, 2026 with the majority of the work conducted that day consisting of mobilization, staging and setup. Topsoil stripping operations began in earnest the morning of May 6, 2026. Topsoil stripping inspection was conducted on May 6th by means of walking the site to observe topsoil stripping activities, taking photographs to document observations and communicate findings and recommendations to the on site superintendent from NextEra Energy.

2.1 TOPSOIL STRIPPING INSPECTION

Inspector conducted a site visit on 5/6/26 to inspect the topsoil stripping and give feedback to the site superintendent and equipment operators on the topsoil stripping. Four sites were being stripped in preparation for the site grading and construction of the infrastructure for the energy storage facility. Inspector noted topsoil stripping depth at a portion of Site 1 was exceeding the depth necessary and getting into underlying soils. Inspections at Site 2, Site 3 and Site 4 determined that topsoil stripping was proceeding satisfactorily.

2.2 RECOMMENDATION FOR RESOLUTION

Upon seeing stripping depth at Site 1, inspector informed the operator that we did not want to mix subsoils with the topsoil and to exercise care not to get too deep.

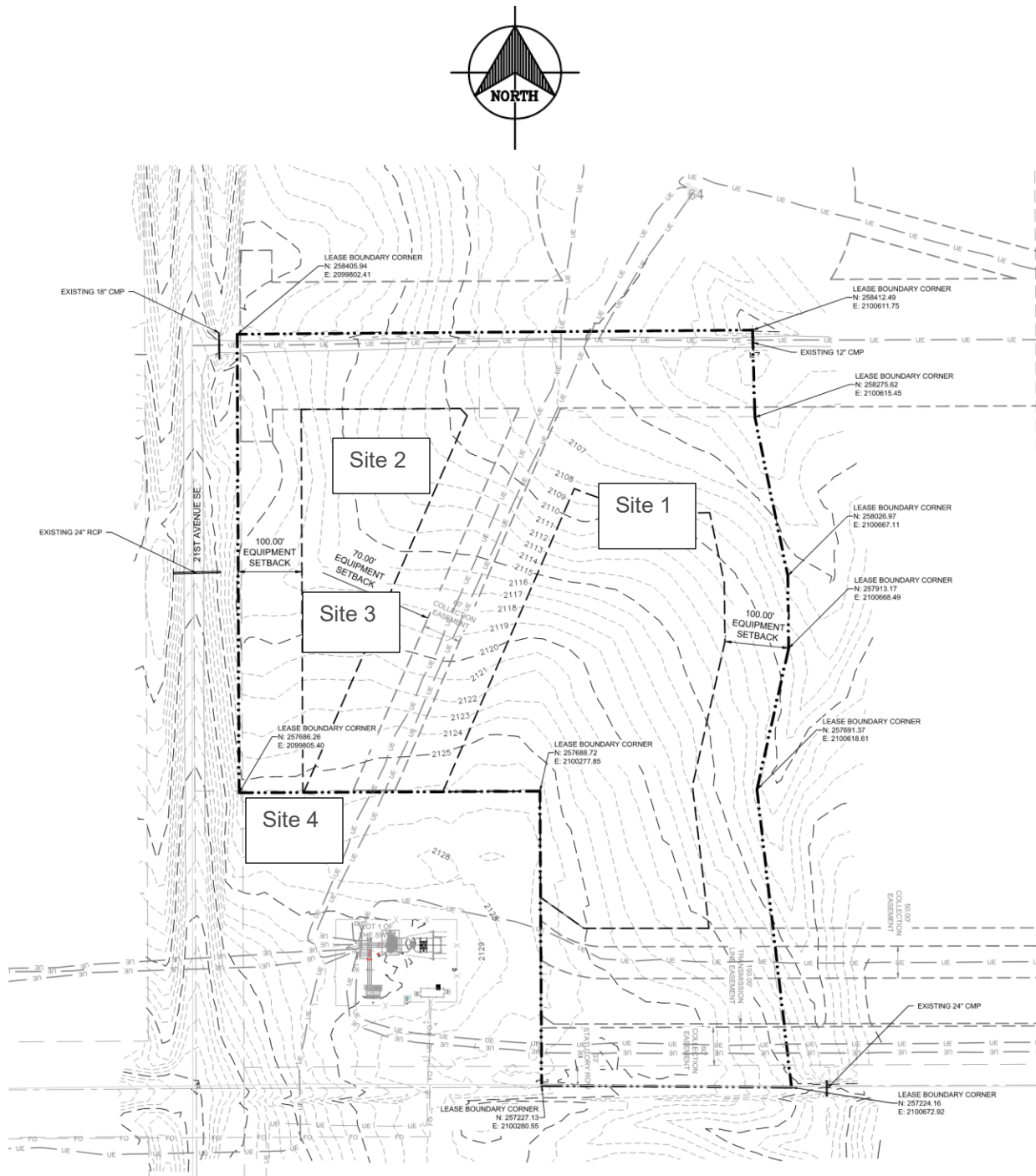
Inspector discussed stripping depth with onsite Superintendent and the intent to strip to one foot depth or the full cultivated depth, whichever is greater. Reviewed stripping depth at all four sites with Superintendent to ensure compliance with Certification Relating to Order Provisions. Inspector pointed out over depth stripping at site 1 and recommended exercising care to not strip too deeply. Any over depth soils removed during stripping operations are to be separated and returned to general backfill. Inspector reviewed stripping operations at the other three sites and discussed satisfactory stripping depth at each site to be maintained for further stripping operations.

2.3 CONCLUSIONS

After correcting the over depth stripping conducted at Site #1, it is Houston Engineering's opinion based on observations made on site and the communications with the site Superintendent that topsoil stripping operations are being conducted in general compliance with the Certification Relating to Order Provisions for Energy Conversion Facility Siting.

3 FIGURES

3.1 SITE MAP



4 SITE PHOTOS

4.1 SITE PHOTOS

Site 1 Looking South Showing over depth removal	Site 1 Looking East Showing segregated and stockpiled topsoil
	
Site 2 Looking North Showing correctly stripped site	Site 2 Looking South Showing segregated topsoil piles
	

Site 3 Looking South Showing stripped site 	Site 3 Looking North Showing stripped site and stockpiled topsoil 
Site 4 Looking North Showing segregated topsoil 	Site 4 Looking East Showing segregated topsoil 