

CONSTRUCTION INSPECTION REPORT

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

June 11, 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

7/17/2026

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. A follow-up inspection was conducted on June 11, 2026 upon notification of the conclusion of topsoil stripping and stockpiling activities.

2.1 TOPSOIL STRIPPING INSPECTION

Inspector conducted a site visit on 6/11/26 to inspect the stripped and stockpiled topsoil and give feedback to the site superintendent on the topsoil stockpiles and erosion control. Two major topsoil stockpiles were noted on site.

Stockpiled topsoil was segregated and placed in locations adjacent to active construction but outside of the construction area. Topsoil is being protected by silt fence, fiber rolls or vegetative buffer to prevent erosion and sediment transport off site. Site 1 was also adjacent to Contractor's job trailer and parking area, which has silt fence across the north side of parking area adjacent to natural watercourse. Silt Fence looks satisfactory to protect water course and prevent sediment transport off site. No active erosion of stockpiles was noted.

2.2 RECOMMENDATION FOR RESOLUTION

Inspector discussed topsoil stockpiles with onsite Superintendent and the potential for erosion in the event of a heavy rain event. Inspector recommended to the Superintendent to review erosion control measures periodically and after rain events to ensure continued containment of topsoil and to prevent sediment transport from stockpile locations as well as sediment transport from the site as a whole.

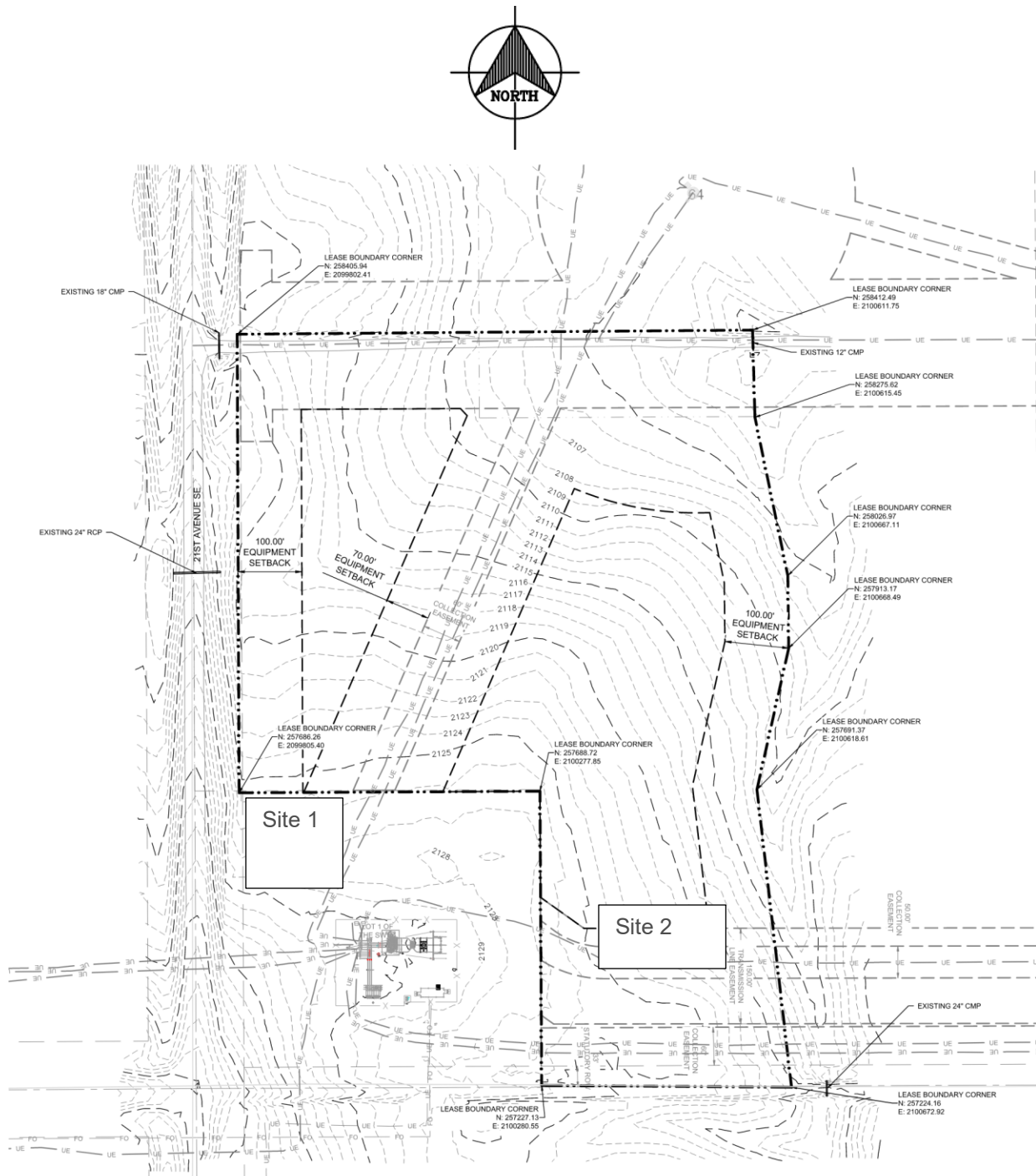
2.3 CONCLUSIONS

It is Houston Engineering's opinion based on observations made on site and the communications with the site Superintendent that topsoil stockpiling 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 Northwest Showing stockpiled topsoil and vegetative buffer 	Site 1 Looking Southeast Showing stockpiled topsoil and vegetative buffer 
Site 1 Looking West Showing stockpiled topsoil and vegetative buffer 	Site 2 Looking West Showing stockpiled topsoil and fiber rolls 

Site 2 Looking East	Site 2 Looking North
Showing stockpiled topsoil	Showing stockpiled topsoil and fiber rolls
	