

## **Appendix F**

### Agency Correspondence

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- U.S. Fish and Wildlife Service
- U.S. Environmental Protection Agency

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## **Federal Agencies**



## Federal Aviation Administration

DATE	TYPE	FROM	TO	SUBJECT
November 10, 2023	Letter	Applicants	Federal Aviation Administration (FAA)	Initial outreach for BSSA Project and request for comments
December 18, 2023	Email	FAA	Applicants	Response to BSSA Transmission Line Project Introduction
December 21, 2023	Email	FAA	Applicants	Status of FAA Filing

November 10, 2023

Andy Peek, Manager  
Federal Aviation Administration  
6020 28th Ave S - Ste 102  
Minneapolis, MN 55450

**Re: Request for Input for the Proposed Big Stone South to Alexandria Transmission Line Project (BSSA)**

Dear Mr. Peek,

Otter Tail Power Company (Otter Tail) and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency (Western Minnesota), are partnering to develop, construct, and co-own a new, approximately 100-mile, 345-kilovolt (kV) high voltage transmission line that will connect Otter Tail's existing Big Stone South 345-kV substation near Big Stone City, South Dakota to Western Minnesota's existing Alexandria 345-kV substation near Alexandria, Minnesota (referred to as the Project or BSSA). The Project is a segment of one of eighteen new transmission projects identified in the Upper Midwest by the Midcontinent Independent System Operator (MISO)<sup>1</sup> that is needed to ensure electric reliability, reduce transmission congestion, increase access to low-cost energy, and increase system resiliency to extreme weather events. The Project will be in Grant County, South Dakota and potentially in Big Stone, Lac qui Parle, Swift, Stevens, Pope, and Douglas Counties, Minnesota depending on the final route identified through the state permitting processes in Minnesota and South Dakota. Otter Tail and Western Minnesota were applicants to a Certificate of Need application that was filed with the Minnesota Public Utilities Commission (MN PUC) on September 29, 2023, and plan to submit a Route Permit application with the MN PUC in the fourth quarter of 2024 as well as a Facility Permit application with the South Dakota Public Utilities Commission in the second quarter of 2024. Depending on a variety of factors, construction of the Project is anticipated to start in 2027 and end in either 2030 or 2031.

Otter Tail and Western Minnesota started public engagement efforts in the second quarter of 2023 through a series of public meetings and has continued routing efforts since that time with a second round of public meetings recently occurring throughout the Project area over the past month. Otter Tail and Western Minnesota, with our consultants' help, have identified potential corridors as shown on the enclosed map. These corridors were based on: (1) an analysis of publicly available data; (2) stakeholder feedback and comments; (3) engineering and constructability best practices; (4) environmental considerations; and (5) regulatory rules and guidelines. These corridors are planning to be refined into a preferred route in which Otter Tail and Western Minnesota will seek to obtain a 150-foot-wide easement from landowners for the construction, operation, and maintenance of the proposed 345-kV transmission line.

We request your review of the corridors identified for the Project to help identify opportunities and constraints as we move towards defining a preferred route. We are particularly interested in any property located within or adjacent to the corridors which your agency may own or have an interest in. We would also appreciate being made aware of any proposed developments your agency may be contemplating within the corridors in addition to any information that might assist us in our siting analysis and studies. To help us identify potential concerns or opportunities in our on-going routing analysis, we request that you please provide us with any information pertaining to the Project by December 11, 2023. Verbal, written or email responses should be sent to:

---

<sup>1</sup> See more information at [www.misoenergy.org](http://www.misoenergy.org).

HDR, Inc.  
Attn: Jennifer Hanley  
51 N Broadway, Suite 550  
Fargo, ND 58102  
[Jennifer.hanley@hdrinc.com](mailto:Jennifer.hanley@hdrinc.com)  
701-353-6139

Future opportunities for input will also be available. As the Project progresses, we are planning to have additional consultations with agencies, other jurisdictions, and landowners as we develop and refine a preferred route.

If you desire further information regarding the proposed Project, please contact me at 218-739-8311 or [jweiers@otpc.com](mailto:jweiers@otpc.com) or our lead environmental consultant, Jennifer Hanley of HDR, Inc., at 701-353-6139 or [jennifer.hanley@hdrinc.com](mailto:jennifer.hanley@hdrinc.com). In addition, further information about the Project can also be found on our website at [www.BigStoneSouthtoAlexandria.com](http://www.BigStoneSouthtoAlexandria.com).

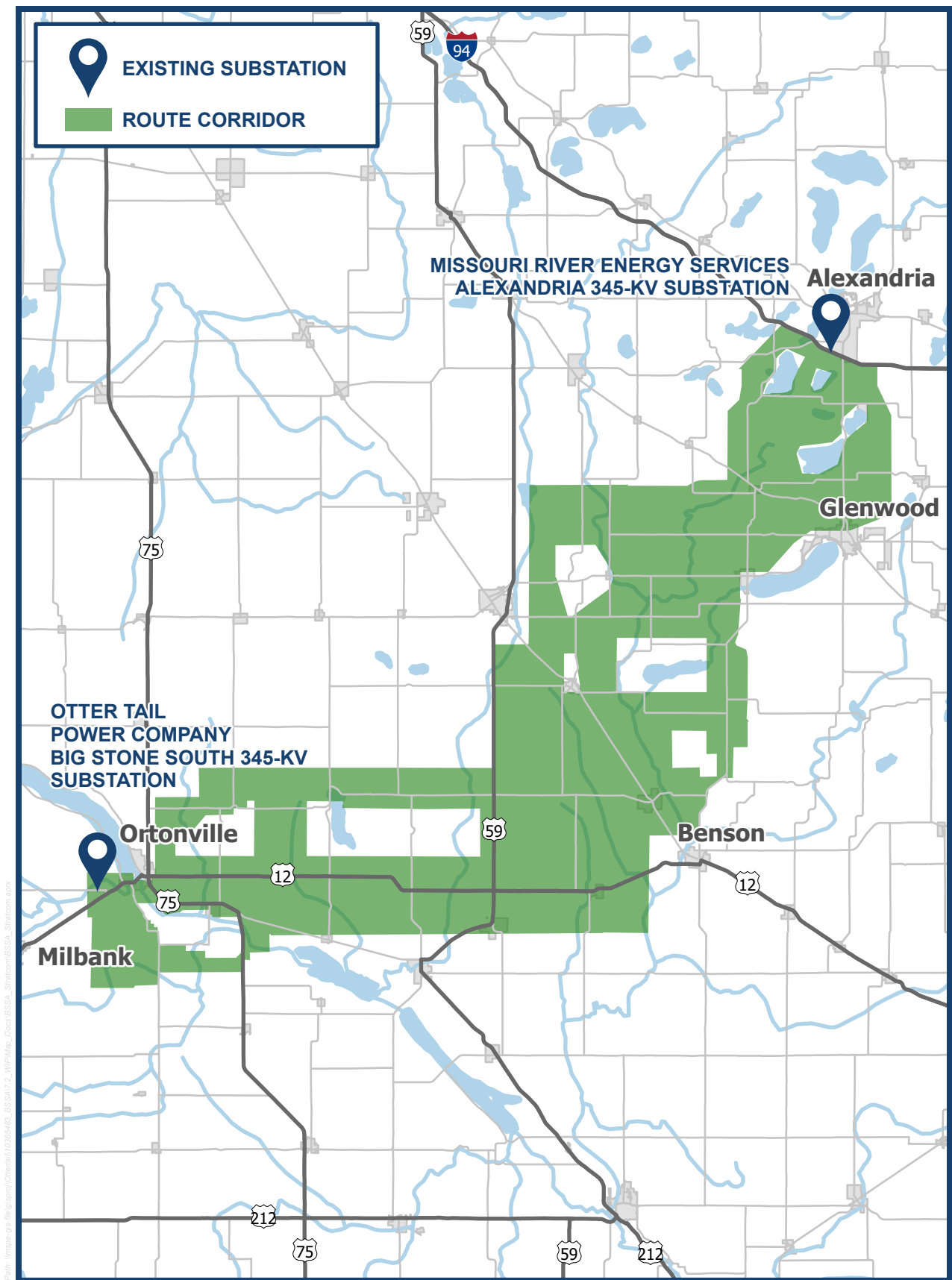
We appreciate and value your input in our on-going efforts to minimize effects to socioeconomics, avoid known culturally significant sites, protect natural resources, and utilize opportunities to parallel existing infrastructure corridors where feasible and look forward to your feedback and continued coordination.

Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map



▲ Route corridor is marked in green on the map above and subject to change.

## Hanley, Jennifer

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**From:** Hahn, Robert (FAA) <Robert.Hahn@faa.gov>  
**Sent:** Monday, December 18, 2023 10:31 AM  
**To:** Weiers, Jason; Hanley, Jennifer  
**Subject:** BSSA - Proposed Big Stone South to Alexandria Transmission Line Project - FAA DAK-MIN ADO Comment

You don't often get email from robert.hahn@faa.gov. [Learn why this is important](#)

**CAUTION:** [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Weiers & Ms. Hanley,

I have been reviewing your letter sent to the FAA ADO office (DTD 11/10/2023 attention Andy Peek – he is no longer at the ADO).

Looking at the 'Route Corridor' map provided, I see several airports on the configuration edges:

Alexandria (AXN)  
Glenwood (GHW)  
Starbuck (D12)  
Benson (BBB)  
Appleton (AQP)  
Ortonville (VVV)  
Morris (MOX)

FAA notification criteria is shown at the bottom of the following web page:

[Obstruction Evaluation / Airport Airspace Analysis \(OE/AAA\) \(faa.gov\)](#)

Suggestion: a good place to see the overall view of this aeronautical usage area is through [SkyVector: Flight Planning / Aeronautical Charts](#)

Sincerely,

Robert Hahn  
FAA - Dakota-Minnesota ADO  
6020 28<sup>th</sup> Ave S  
Suite 102  
Minneapolis, MN 55450-2700  
W 612-253-4639  
E-mail: Robert.Hahn@faa.gov

**From:** [noreply@faa.gov](mailto:noreply@faa.gov)  
**To:** [Britz, Jordan](#)  
**Subject:** [EXTERNAL] Status of FAA Filing  
**Date:** Thursday, December 21, 2023 6:33:48 AM

**CAUTION:** This Email is from an **EXTERNAL** source. **STOP. THINK** before you **CLICK** links or **OPEN** attachments.

Your filing is assigned Aeronautical Study Number(s) (ASN): 2023-AGL-23764-OE, 2023-AGL-23762-OE, 2023-AGL-23755-OE, 2023-AGL-23756-OE, 2023-AGL-23754-OE, 2023-AGL-23760-OE, 2023-AGL-23763-OE, 2023-AGL-23757-OE, 2023-AGL-23773-OE, 2023-AGL-23761-OE, 2023-AGL-23767-OE, 2023-AGL-23770-OE, 2023-AGL-23765-OE, 2023-AGL-23766-OE, 2023-AGL-23769-OE, 2023-AGL-23771-OE, 2023-AGL-23774-OE, 2023-AGL-23775-OE, 2023-AGL-23758-OE, 2023-AGL-23759-OE, 2023-AGL-23768-OE, 2023-AGL-23772-OE.

To review your electronic record, go to our website [oeaaa.faa.gov](https://oeaaa.faa.gov) [[oeaaa.faa.gov](https://oeaaa.faa.gov)] and select the Search Archives link to locate your case using the assigned Aeronautical Study Number (ASN).

The FAA verified your filing and an aeronautical study has been initiated. Please allow a minimum 45 days for the FAA to complete the study. Please refer to the assigned ASN on all future inquiries regarding this filing.

For Wind Turbine proposals only, please ensure Wind Turbine Data as described on the project summary page in your registered e-filing account has been uploaded to your filing.

*To ensure e-mail notifications are delivered to your inbox please add [noreply@faa.gov](mailto:noreply@faa.gov) to your address book. Notifications sent from this address are system generated FAA e-mails and replies to this address will NOT be read or forwarded for review. Each system generated e-mail will contain specific FAA contact information in the text of the message.*

## Federal Highway Administration



DATE	TYPE	FROM	TO	SUBJECT
November 10, 2023	Letter	Applicants	Federal Highway Administration (FHA)	Initial outreach for BSSA Project and request for comments

November 10, 2023

Wendall Meyer, Division Administrator  
Federal Highway Administration  
180 E. Fifth St., Suite 930  
St Paul, MN 55101

**Re: Request for Input for the Proposed Big Stone South to Alexandria Transmission Line Project (BSSA)**

Dear Mr. Meyer,

Otter Tail Power Company (Otter Tail) and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency (Western Minnesota), are partnering to develop, construct, and co-own a new, approximately 100-mile, 345-kilovolt (kV) high voltage transmission line that will connect Otter Tail's existing Big Stone South 345-kV substation near Big Stone City, South Dakota to Western Minnesota's existing Alexandria 345-kV substation near Alexandria, Minnesota (referred to as the Project or BSSA). The Project is a segment of one of eighteen new transmission projects identified in the Upper Midwest by the Midcontinent Independent System Operator (MISO)<sup>1</sup> that is needed to ensure electric reliability, reduce transmission congestion, increase access to low-cost energy, and increase system resiliency to extreme weather events. The Project will be in Grant County, South Dakota and potentially in Big Stone, Lac qui Parle, Swift, Stevens, Pope, and Douglas Counties, Minnesota depending on the final route identified through the state permitting processes in Minnesota and South Dakota. Otter Tail and Western Minnesota were applicants to a Certificate of Need application that was filed with the Minnesota Public Utilities Commission (MN PUC) on September 29, 2023, and plan to submit a Route Permit application with the MN PUC in the fourth quarter of 2024 as well as a Facility Permit application with the South Dakota Public Utilities Commission in the second quarter of 2024. Depending on a variety of factors, construction of the Project is anticipated to start in 2027 and end in either 2030 or 2031.

Otter Tail and Western Minnesota started public engagement efforts in the second quarter of 2023 through a series of public meetings and has continued routing efforts since that time with a second round of public meetings recently occurring throughout the Project area over the past month. Otter Tail and Western Minnesota, with our consultants' help, have identified potential corridors as shown on the enclosed map. These corridors were based on: (1) an analysis of publicly available data; (2) stakeholder feedback and comments; (3) engineering and constructability best practices; (4) environmental considerations; and (5) regulatory rules and guidelines. These corridors are planning to be refined into a preferred route in which Otter Tail and Western Minnesota will seek to obtain a 150-foot-wide easement from landowners for the construction, operation, and maintenance of the proposed 345-kV transmission line.

We request your review of the corridors identified for the Project to help identify opportunities and constraints as we move towards defining a preferred route. We are particularly interested in any property located within or adjacent to the corridors which your agency may own or have an interest in. We would also appreciate being made aware of any proposed developments your agency may be contemplating within the corridors in addition to any information that might assist us in our siting analysis and studies. To help us identify potential concerns or opportunities in our on-going routing analysis, we request that you please provide us with any information pertaining to the Project by December 11, 2023. Verbal, written or email responses should be sent to:

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<sup>1</sup> See more information at [www.misoenergy.org](http://www.misoenergy.org).

HDR, Inc.  
Attn: Jennifer Hanley  
51 N Broadway, Suite 550  
Fargo, ND 58102  
[Jennifer.hanley@hdrinc.com](mailto:Jennifer.hanley@hdrinc.com)  
701-353-6139

Future opportunities for input will also be available. As the Project progresses, we are planning to have additional consultations with agencies, other jurisdictions, and landowners as we develop and refine a preferred route.

If you desire further information regarding the proposed Project, please contact me at 218-739-8311 or [jweiers@otpc.com](mailto:jweiers@otpc.com) or our lead environmental consultant, Jennifer Hanley of HDR, Inc., at 701-353-6139 or [jennifer.hanley@hdrinc.com](mailto:jennifer.hanley@hdrinc.com). In addition, further information about the Project can also be found on our website at [www.BigStoneSouthtoAlexandria.com](http://www.BigStoneSouthtoAlexandria.com).

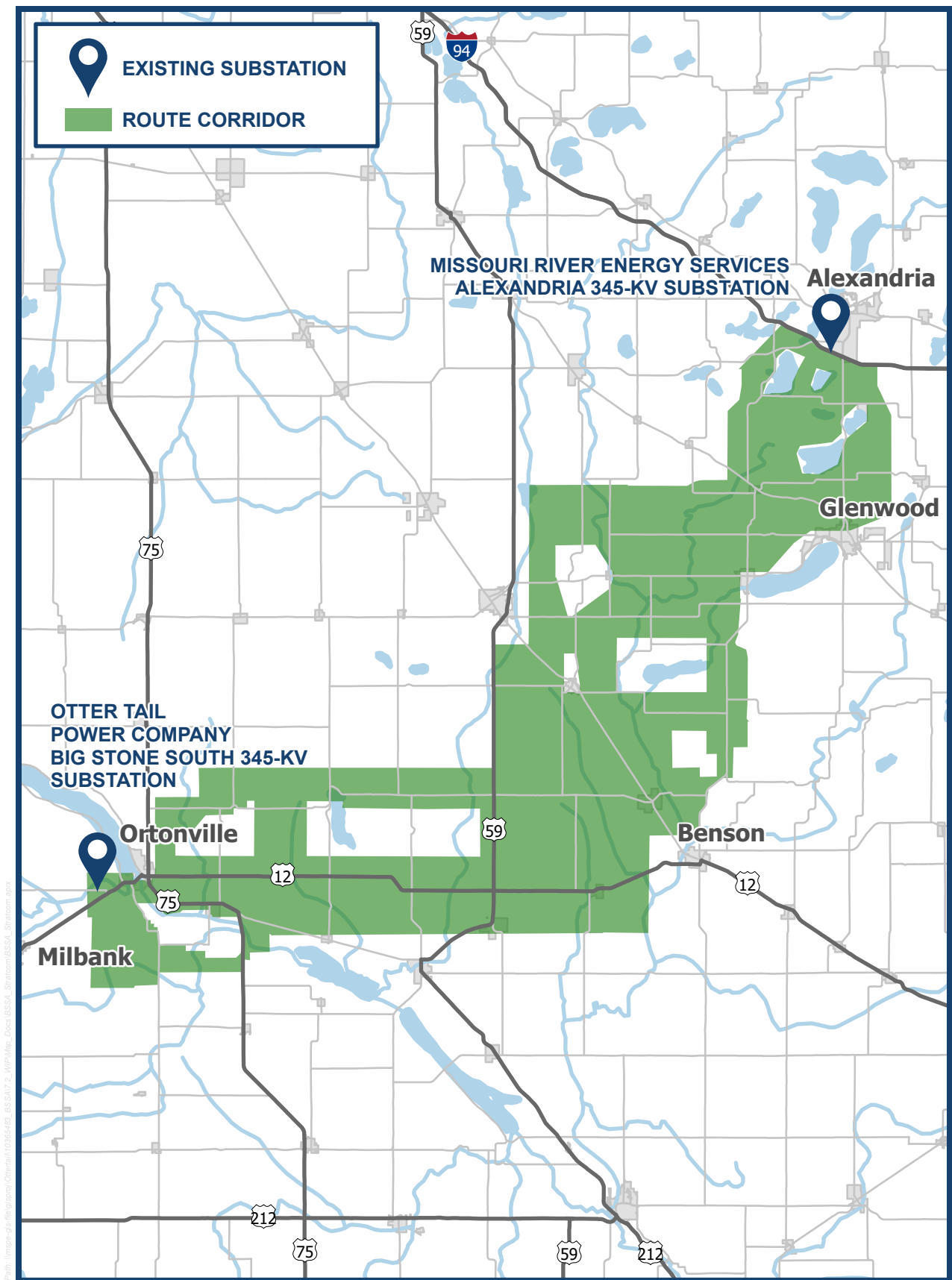
We appreciate and value your input in our on-going efforts to minimize effects to socioeconomics, avoid known culturally significant sites, protect natural resources, and utilize opportunities to parallel existing infrastructure corridors where feasible and look forward to your feedback and continued coordination.

Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map



▲ Route corridor is marked in green on the map above and subject to change.

## Federal Representatives

DATE	TYPE	FROM	TO	SUBJECT
November 10, 2023	Letter	Applicants	U.S. Senate	Initial outreach for BSSA Project and request for comments
			U.S. Representative	

November 10, 2023

Amy Klobuchar  
U.S. Senate  
425 Dirksen Senate Office Bldg.  
Washington, DC 2051020510

**Re: Request for Input for the Proposed Big Stone South to Alexandria Transmission Line Project (BSSA)**

Dear Ms. Klobuchar,

Otter Tail Power Company (Otter Tail) and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency (Western Minnesota), are partnering to develop, construct, and co-own a new, approximately 100-mile, 345-kilovolt (kV) high voltage transmission line that will connect Otter Tail's existing Big Stone South 345-kV substation near Big Stone City, South Dakota to Western Minnesota's existing Alexandria 345-kV substation near Alexandria, Minnesota (referred to as the Project or BSSA). The Project is a segment of one of eighteen new transmission projects identified in the Upper Midwest by the Midcontinent Independent System Operator (MISO)<sup>1</sup> that is needed to ensure electric reliability, reduce transmission congestion, increase access to low-cost energy, and increase system resiliency to extreme weather events. The Project will be in Grant County, South Dakota and potentially in Big Stone, Lac qui Parle, Swift, Stevens, Pope, and Douglas Counties, Minnesota depending on the final route identified through the state permitting processes in Minnesota and South Dakota. Otter Tail and Western Minnesota were applicants to a Certificate of Need application that was filed with the Minnesota Public Utilities Commission (MN PUC) on September 29, 2023, and plan to submit a Route Permit application with the MN PUC in the fourth quarter of 2024 as well as a Facility Permit application with the South Dakota Public Utilities Commission in the second quarter of 2024. Depending on a variety of factors, construction of the Project is anticipated to start in 2027 and end in either 2030 or 2031. Otter Tail and Western Minnesota started public engagement efforts in the second quarter of 2023 through a series of public meetings and has continued routing efforts since that time with a second round of public meetings recently occurring throughout the Project area over the past month. Otter Tail and Western Minnesota, with our consultants' help, have identified potential corridors as shown on the enclosed map. These corridors were based on: (1) an analysis of publicly available data; (2) stakeholder feedback and comments; (3) engineering and constructability best practices; (4) environmental considerations; and (5) regulatory rules and guidelines. These corridors are planning to be refined into a preferred route in which Otter Tail and Western Minnesota will seek to obtain a 150-foot-wide easement from landowners for the construction, operation, and maintenance of the proposed 345-kV transmission line.

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51 N Broadway, Suite 550  
Fargo, ND 58102  
[Jennifer.hanley@hdrinc.com](mailto:Jennifer.hanley@hdrinc.com)  
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Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map



U.S. Army Corps of Engineers

DATE	TYPE	FROM	TO	SUBJECT
November 10, 2023	Letter	Applicants	U.S. Army Corp of Engineers (USACE)	Initial outreach for BSSA Project and request for comments
September 12, 2024	Email	Applicants	USACE	Project introduction and potential USACE permitting

November 10, 2023

Larry Puchalski, Project Manager  
U.S. Army Corp of Engineers- Bemidji Branch  
4111 Technology Dr. NW, Suite 295  
Bemidji, MN 56601

**Re: Request for Input for the Proposed Big Stone South to Alexandria Transmission Line Project (BSSA)**

Dear Mr. Puchalski,

Otter Tail Power Company (Otter Tail) and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency (Western Minnesota), are partnering to develop, construct, and co-own a new, approximately 100-mile, 345-kilovolt (kV) high voltage transmission line that will connect Otter Tail's existing Big Stone South 345-kV substation near Big Stone City, South Dakota to Western Minnesota's existing Alexandria 345-kV substation near Alexandria, Minnesota (referred to as the Project or BSSA). The Project is a segment of one of eighteen new transmission projects identified in the Upper Midwest by the Midcontinent Independent System Operator (MISO)<sup>1</sup> that is needed to ensure electric reliability, reduce transmission congestion, increase access to low-cost energy, and increase system resiliency to extreme weather events. The Project will be in Grant County, South Dakota and potentially in Big Stone, Lac qui Parle, Swift, Stevens, Pope, and Douglas Counties, Minnesota depending on the final route identified through the state permitting processes in Minnesota and South Dakota. Otter Tail and Western Minnesota were applicants to a Certificate of Need application that was filed with the Minnesota Public Utilities Commission (MN PUC) on September 29, 2023, and plan to submit a Route Permit application with the MN PUC in the fourth quarter of 2024 as well as a Facility Permit application with the South Dakota Public Utilities Commission in the second quarter of 2024. Depending on a variety of factors, construction of the Project is anticipated to start in 2027 and end in either 2030 or 2031.

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701-353-6139

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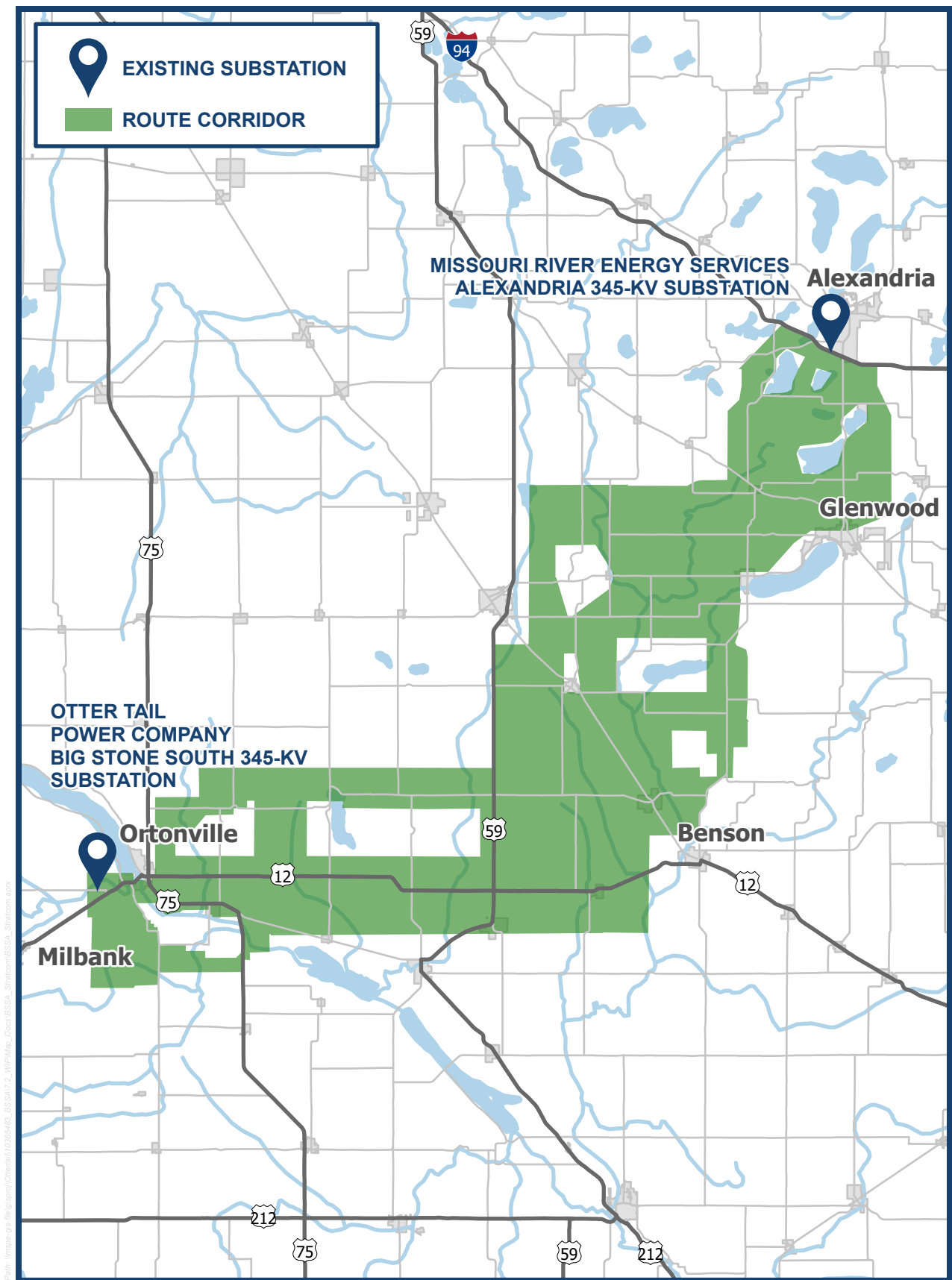
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Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map



▲ Route corridor is marked in green on the map above and subject to change.

From: [Hanley, Jennifer](#)  
To: [Wierzbinski, Daryl W CIV USARMY CEMVP \(USA\)](#)  
Cc: [Scheidecker, Kevin J.](#)  
Subject: Big Stone South to Alexandria 345kV Transmission Line (BSSA) USACE Contact  
Date: Thursday, September 12, 2024 10:50:00 AM

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Daryl,

Thanks so much for the call this morning. Here is a brief summary of the Big Stone South to Alexandria 345 kV transmission line project (BSSA).

BSSA is a brand new transmission line that will go from the Big Stone South substation in Big Stone City, SD to the Alexandria substation in Alexandria, MN and would be owned by Otter Tail Powe Company and Missouri River Energy Services. The transmission line would cross Big Stone County, Swift County, Stevens County, Pope County and Douglas County. The transmission line structures will be steel monopoles that are approximately 150 ft tall and spaced approximately 1,400 ft apart. The concrete foundations they sit on will be approximately 10 feet in diameter. We do not plan on building any permanent access roads for construction.

As part of the Minnesota Public Utilities Commission (MPUC) process to permit a transmission line of this size, we need to put forth 2 route alternatives in a Route Permit Application (for this project these are broken into south, central, and north segments that the MPUC could mix and match how they see fit). Once we submit our Route Permit Application, the MN Department of Commerce Energy Environmental Review and Analysis (EERA) team will prepare a Minnesota Environmental Impact Statement for the MPUC's decision making process. EERA and the MPUC will hold public information and environmental scoping meetings ahead of the EIS preparation, at which time landowners/agencies/LGUs could propose additional alternatives. Once the EIS is complete a public hearing is held.

Once this process is complete and the information is provided to the MPUC commissioners, MPUC will select the route. It is at this time that we start to work with landowners to get right of entry to do environmental field studies.

The proposed routes that plan on submitting to the MPUC in October of this year, include a Minnesota River Crossing near Ortonville, MN which is a USACE Section 10 waterway. We intend to avoid wetlands as much as we can but we won't know if we can completely avoid until we receive an approved route and have finalized the design and locations of the structures.

We understand that the USACE 404/10 permitting would likely fall under the General Regional Permit for utilities in Minnesota and would be done under the Joint State/Federal form in MN. As we discussed, when we get closer to our final route, we will reach out to the USACE for a pre-application meeting to discuss our field survey scope for permitting efforts.

I have also cc'd Kevin Scheidecker, Otter Tail Power's project environmental lead. Here is his contact information:

Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

Please let either of us know if you have any questions. Thanks again!

Jen

Jennifer Hanley, PE\*  
D 701.353.6139

[hdrinc.com/follow-us](http://hdrinc.com/follow-us)

\*MN, ND, SD, MT and TX

---

**From:** Wierzbinski, Daryl W CIV USARMY CEMVP (USA) <Daryl.W.Wierzbinski@usace.army.mil>  
**Sent:** Thursday, September 12, 2024 9:58 AM  
**To:** Hanley, Jennifer <jennifer.hanley@hdrinc.com>  
**Subject:** FW: Message from HDR (7013536139)

**CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Daryl W. Wierzbinski  
U.S. Army Corps of Engineers, Duluth office  
600 South Lake Avenue, Suite 211  
Duluth, Minnesota 55802  
Phone: ☎ 218 788-6406  
Email: [daryl.w.wierzbinski@usace.army.mil](mailto:daryl.w.wierzbinski@usace.army.mil)

Requests for action (pre-application consultations, permit applications, requests for delineation concurrences, requests for jurisdictional determinations, and mitigation bank proposals) should be sent directly to the following email: [usace\\_requests\\_mn@usace.army.mil](mailto:usace_requests_mn@usace.army.mil). Please include the county name in the subject line of the email (e.g. Washington County).

---

**From:** Cisco Unity Connection Messaging System  
<[unityconnection@cpcunitypub.eis.ds.usace.army.mil](mailto:unityconnection@cpcunitypub.eis.ds.usace.army.mil)>  
**Sent:** Wednesday, September 4, 2024 10:55  
**To:**.mvp-reg-inquire <[mvp-reg-inquiry@cpcunitypub.eis.ds.usace.army.mil](mailto:mvp-reg-inquiry@cpcunitypub.eis.ds.usace.army.mil)>  
**Subject:** Message from HDR (7013536139)



## U.S. Bureau of Indian Affairs

DATE	TYPE	FROM	TO	SUBJECT
November 10, 2023	Letter	Applicants	U.S. Bureau of Indian Affairs (BIA)	Initial outreach for BSSA Project and request for comments

November 10, 2023

Alan Fogarty, Acting Superintendent  
U.S. Bureau of Indian Affairs  
5600 American Blvd W - Ste 500  
Bloomington, MN

**Re: Request for Input for the Proposed Big Stone South to Alexandria Transmission Line Project (BSSA)**

Dear Mr. Fogarty,

Otter Tail Power Company (Otter Tail) and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency (Western Minnesota), are partnering to develop, construct, and co-own a new, approximately 100-mile, 345-kilovolt (kV) high voltage transmission line that will connect Otter Tail's existing Big Stone South 345-kV substation near Big Stone City, South Dakota to Western Minnesota's existing Alexandria 345-kV substation near Alexandria, Minnesota (referred to as the Project or BSSA). The Project is a segment of one of eighteen new transmission projects identified in the Upper Midwest by the Midcontinent Independent System Operator (MISO)<sup>1</sup> that is needed to ensure electric reliability, reduce transmission congestion, increase access to low-cost energy, and increase system resiliency to extreme weather events. The Project will be in Grant County, South Dakota and potentially in Big Stone, Lac qui Parle, Swift, Stevens, Pope, and Douglas Counties, Minnesota depending on the final route identified through the state permitting processes in Minnesota and South Dakota. Otter Tail and Western Minnesota were applicants to a Certificate of Need application that was filed with the Minnesota Public Utilities Commission (MN PUC) on September 29, 2023, and plan to submit a Route Permit application with the MN PUC in the fourth quarter of 2024 as well as a Facility Permit application with the South Dakota Public Utilities Commission in the second quarter of 2024. Depending on a variety of factors, construction of the Project is anticipated to start in 2027 and end in either 2030 or 2031.

Otter Tail and Western Minnesota started public engagement efforts in the second quarter of 2023 through a series of public meetings and has continued routing efforts since that time with a second round of public meetings recently occurring throughout the Project area over the past month. Otter Tail and Western Minnesota, with our consultants' help, have identified potential corridors as shown on the enclosed map. These corridors were based on: (1) an analysis of publicly available data; (2) stakeholder feedback and comments; (3) engineering and constructability best practices; (4) environmental considerations; and (5) regulatory rules and guidelines. These corridors are planning to be refined into a preferred route in which Otter Tail and Western Minnesota will seek to obtain a 150-foot-wide easement from landowners for the construction, operation, and maintenance of the proposed 345-kV transmission line.

We request your review of the corridors identified for the Project to help identify opportunities and constraints as we move towards defining a preferred route. We are particularly interested in any property located within or adjacent to the corridors which your agency may own or have an interest in. We would also appreciate being made aware of any proposed developments your agency may be contemplating within the corridors in addition to any information that might assist us in our siting analysis and studies. To help us identify potential concerns or opportunities in our on-going routing analysis, we request that you please provide us with any information pertaining to the Project by December 11, 2023. Verbal, written or email responses should be sent to:

---

<sup>1</sup> See more information at [www.misoenergy.org](http://www.misoenergy.org).

HDR, Inc.  
Attn: Jennifer Hanley  
51 N Broadway, Suite 550  
Fargo, ND 58102  
[Jennifer.hanley@hdrinc.com](mailto:Jennifer.hanley@hdrinc.com)  
701-353-6139

Future opportunities for input will also be available. As the Project progresses, we are planning to have additional consultations with agencies, other jurisdictions, and landowners as we develop and refine a preferred route.

If you desire further information regarding the proposed Project, please contact me at 218-739-8311 or [jweiers@otpc.com](mailto:jweiers@otpc.com) or our lead environmental consultant, Jennifer Hanley of HDR, Inc., at 701-353-6139 or [jennifer.hanley@hdrinc.com](mailto:jennifer.hanley@hdrinc.com). In addition, further information about the Project can also be found on our website at [www.BigStoneSouthtoAlexandria.com](http://www.BigStoneSouthtoAlexandria.com).

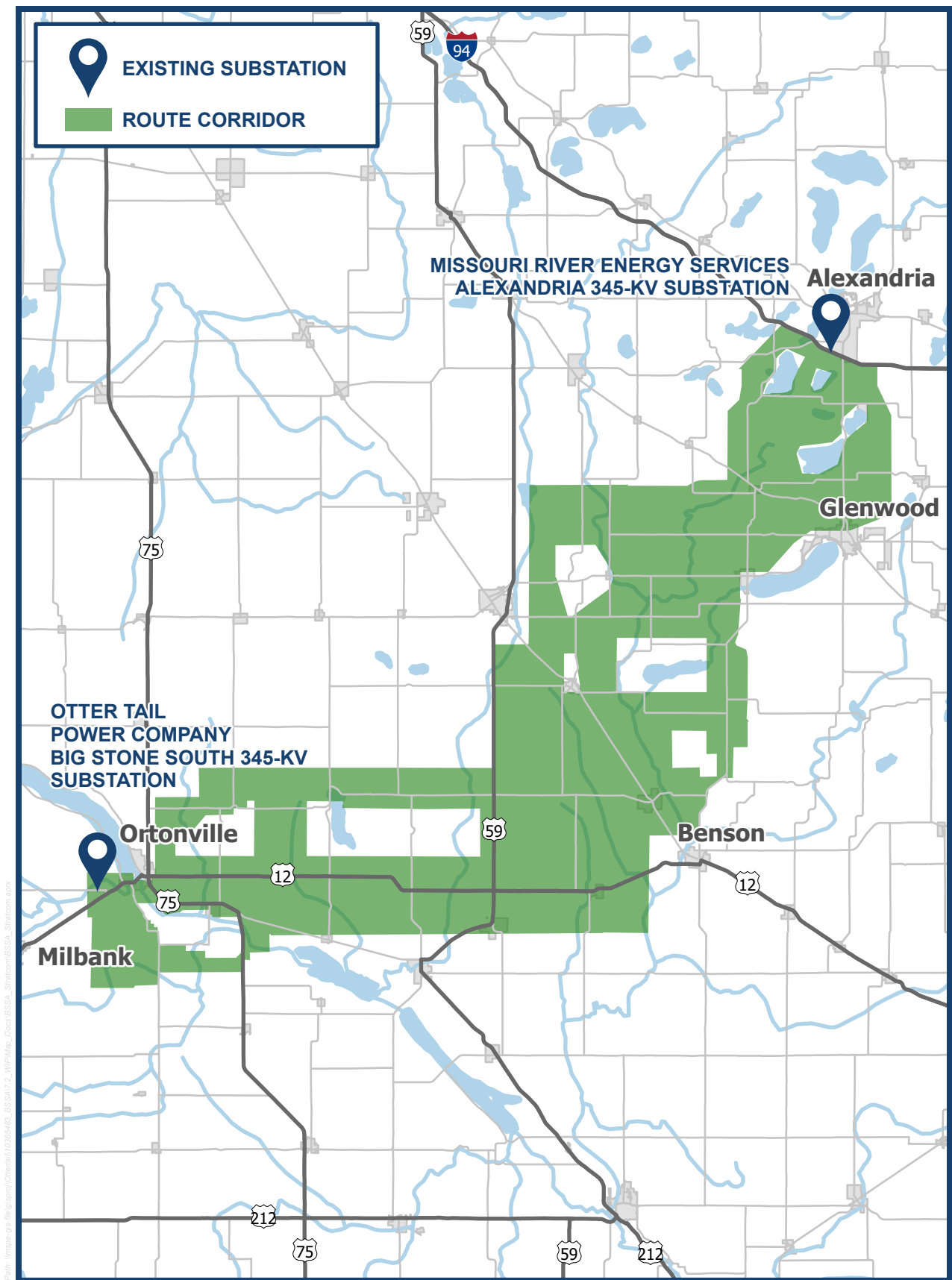
We appreciate and value your input in our on-going efforts to minimize effects to socioeconomics, avoid known culturally significant sites, protect natural resources, and utilize opportunities to parallel existing infrastructure corridors where feasible and look forward to your feedback and continued coordination.

Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map



▲ Route corridor is marked in green on the map above and subject to change.

U.S. Department of Agriculture – Farm Service Agency

DATE	TYPE	FROM	TO	SUBJECT
November 10, 2023	Letter	Applicants	U.S. Department of Agriculture – Farm Service Agency (FSA)	Initial outreach for BSSA Project and request for comments
June 11, 2024	Email	Applicants	USDA FSA	Applicants requesting FSA to review and provide input on BSSA Project shapefiles
June 12, 2024	Email	USDA FSA	Applicants	Response to Applicants' request to review and provide input on BSSA Project shapefiles
June 14, 2024	Email/Letter	USDA FSA	Applicants	Response to Applicants' request to review and provide input on BSSA Project shapefiles and payment report

November 10, 2023

Whitney Place, State Executive Director  
U.S. Department of Agriculture, Farm Service Agency  
375 Jackson St., Suite 400  
St. Paul, MN 55101

**Re: Request for Input for the Proposed Big Stone South to Alexandria Transmission Line Project (BSSA)**

Dear Ms. Place,

Otter Tail Power Company (Otter Tail) and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency (Western Minnesota), are partnering to develop, construct, and co-own a new, approximately 100-mile, 345-kilovolt (kV) high voltage transmission line that will connect Otter Tail's existing Big Stone South 345-kV substation near Big Stone City, South Dakota to Western Minnesota's existing Alexandria 345-kV substation near Alexandria, Minnesota (referred to as the Project or BSSA). The Project is a segment of one of eighteen new transmission projects identified in the Upper Midwest by the Midcontinent Independent System Operator (MISO)<sup>1</sup> that is needed to ensure electric reliability, reduce transmission congestion, increase access to low-cost energy, and increase system resiliency to extreme weather events. The Project will be in Grant County, South Dakota and potentially in Big Stone, Lac qui Parle, Swift, Stevens, Pope, and Douglas Counties, Minnesota depending on the final route identified through the state permitting processes in Minnesota and South Dakota. Otter Tail and Western Minnesota were applicants to a Certificate of Need application that was filed with the Minnesota Public Utilities Commission (MN PUC) on September 29, 2023, and plan to submit a Route Permit application with the MN PUC in the fourth quarter of 2024 as well as a Facility Permit application with the South Dakota Public Utilities Commission in the second quarter of 2024. Depending on a variety of factors, construction of the Project is anticipated to start in 2027 and end in either 2030 or 2031.

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HDR, Inc.  
Attn: Jennifer Hanley  
51 N Broadway, Suite 550  
Fargo, ND 58102  
[Jennifer.hanley@hdrinc.com](mailto:Jennifer.hanley@hdrinc.com)  
701-353-6139

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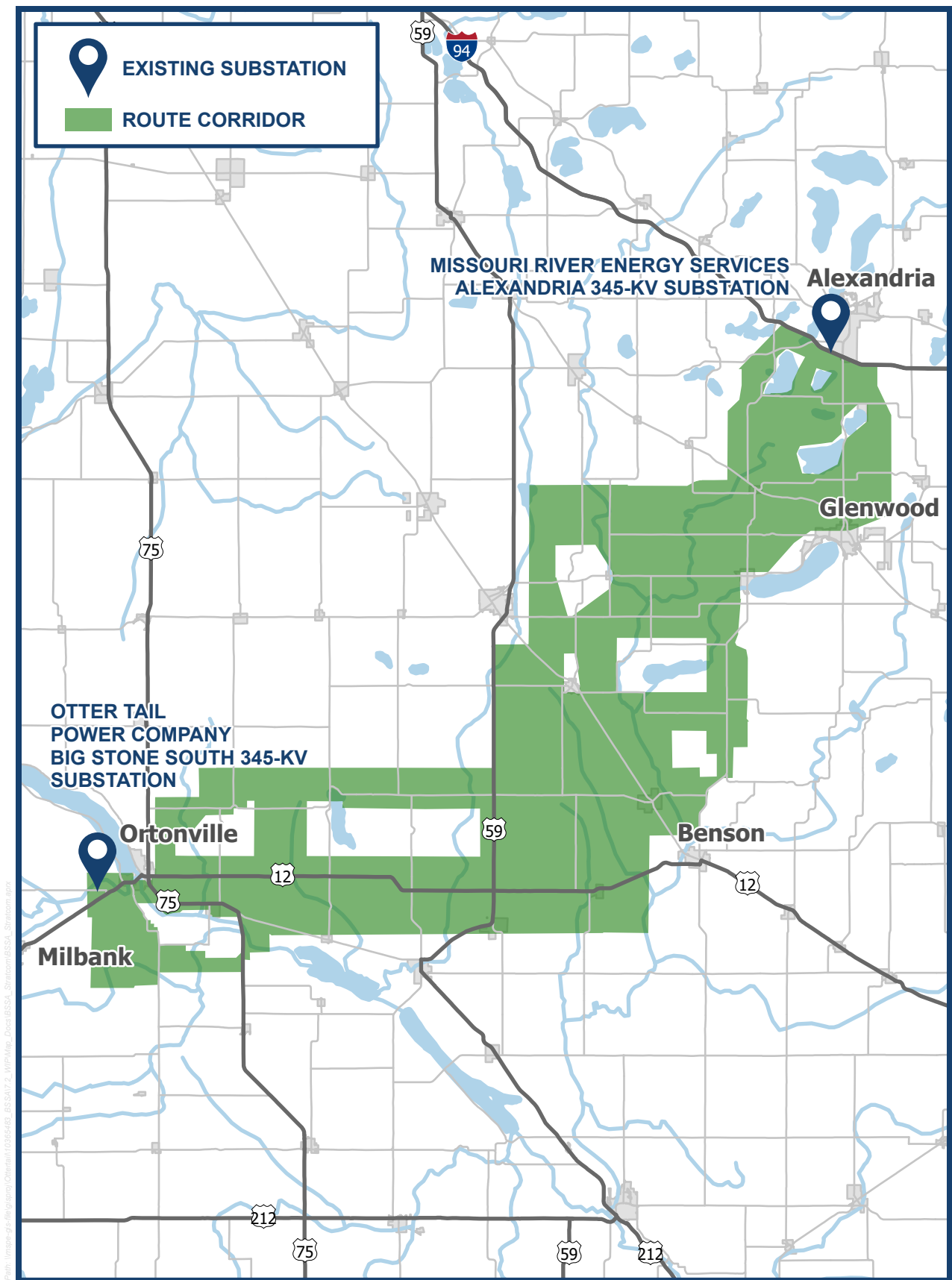
We appreciate and value your input in our on-going efforts to minimize effects to socioeconomics, avoid known culturally significant sites, protect natural resources, and utilize opportunities to parallel existing infrastructure corridors where feasible and look forward to your feedback and continued coordination.

Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map



▲ Route corridor is marked in green on the map above and subject to change.

From: [Hanley, Jennifer](#)  
To: [fsa-mnst2-executive@usda.gov](mailto:fsa-mnst2-executive@usda.gov)  
Cc: [Scheidecker, Kevin J.](#); [Humburg, Joshua](#); [Weiers, Jason](#); [Malkin, Devin](#); [Peterson, Monica](#); [Raine, Katie](#); [Phinney, Samantha](#)  
Subject: BSSA FSA Coordination\_Route Shapefiles\_20240611  
Date: Tuesday, June 11, 2024 3:45:23 PM  
Attachments: [BSSA\\_routes\\_sent\\_20240611.zip](#)

---

Hello,

Otter Tail Power and Missouri River Energy Services are working on the development of a 345-kV Transmission Project referred to as Big Stone South to Alexandria (BSSA) that will run from Big Stone, SD to Alexandria, MN. This is a greenfield project and there will be many challenges in developing the route. We do a great deal of outreach to local, state and federal agencies to solicit information on property that is either owned by the agency or the agency has an interest in it via an easement or contract such as CRP. Would FSA be able to review the routes and let us know if there was any land in CRP? We will be working on acquiring a 150-foot easement for our route corridor would like to know the process if we needed to acquire an easement on something that was currently in CRP.

Attached you will find shapefiles of our proposed routes. We would appreciate the opportunity to meet with FSA to discuss the routes and any pertinent information you may have. We will be introducing these routes to the public in open houses June 24-27 and are planning to submit a route permit application to the Minnesota Public Utilities Commission in the fourth quarter of 2024.

Thanks,  
Jen

[Jennifer Hanley](#), PE\*  
*Senior Environmental Project Manager*

HDR  
51 North Broadway, Suite 550  
Fargo, ND 58102  
701.353.6139  
[jennifer.hanley@hdrinc.com](mailto:jennifer.hanley@hdrinc.com)

[hdrinc.com/follow-us](https://hdrinc.com/follow-us)

\*MN, ND, SD, MT and TX

From: [Fast, Kristina - FPAC-FSA, MN](#)  
To: [Hanley, Jennifer](#)  
Cc: [Scheidecker, Kevin J.](#); [Humburg, Joshua](#); [Weiers, Jason](#); [Malkin, Devin](#); [Peterson, Monica](#); [Raine, Katie](#); [Phinney, Samantha](#); [FSA-MN-Executive](#)  
Subject: RE: [External Email]BSSA FSA Coordination\_Route Shapefiles\_20240611  
Date: Wednesday, June 12, 2024 4:01:19 PM  
Attachments: [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Good afternoon, Jennifer,

Thank you for your email. I am reviewing your request and the shapefiles provided and will follow up later this week. Please note that while FSA may confirm if there is CRP in the path of the project, specific information on the location of CRP contracts would not be released without consent from the contract holder(s), as it is protected under Exemption 3 of the Freedom of Information Act. We may be able to provide a list of CRP payment recipients for the counties impacted by project that may helpful for your team.

Please let me know if you have any questions in the interim.

**Kristina Fast**

*Agricultural Program Specialist/MN FOIA Coordinator*  
Minnesota State Office

 **Farm Service Agency**  
U.S. DEPARTMENT OF AGRICULTURE  
375 Jackson Street, St. Paul, MN, 55101  
p: (507) 407-5003  
e: [kristina.fast@usda.gov](mailto:kristina.fast@usda.gov) | w: [www.fsa.usda.gov/state-offices/Minnesota/index](http://www.fsa.usda.gov/state-offices/Minnesota/index)

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**From:** Hanley, Jennifer <[Jennifer.Hanley@hdrinc.com](mailto:Jennifer.Hanley@hdrinc.com)>

**Sent:** Tuesday, June 11, 2024 2:43 PM

**To:** FSA-MN-Executive <[FSA-MNST2-Executive@usda.gov](mailto:FSA-MNST2-Executive@usda.gov)>

**Cc:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>; Humburg, Joshua <[jhumburg@otpc.com](mailto:jhumburg@otpc.com)>;

Weiers, Jason <jweiers@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; Peterson, Monica <monica.peterson@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>

**Subject:** [External Email]BSSA FSA Coordination\_Route Shapefiles\_20240611

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Please send any concerns or suspicious messages to: [Spam.Abuse@usda.gov](mailto:Spam.Abuse@usda.gov)

Hello,

Otter Tail Power and Missouri River Energy Services are working on the development of a 345-kV Transmission Project referred to as Big Stone South to Alexandria (BSSA) that will run from Big Stone, SD to Alexandria, MN. This is a greenfield project and there will be many challenges in developing the route. We do a great deal of outreach to local, state and federal agencies to solicit information on property that is either owned by the agency or the agency has an interest in it via an easement or contract such as CRP. Would FSA be able to review the routes and let us know if there was any land in CRP? We will be working on acquiring a 150-foot easement for our route corridor would like to know the process if we needed to acquire an easement on something that was currently in CRP.

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Thanks,

Jen

*Jennifer Hanley, PE\**  
*Senior Environmental Project Manager*

HDR  
51 North Broadway, Suite 550  
Fargo, ND 58102  
D 701.353.6139  
[jennifer.hanley@hdrinc.com](mailto:jennifer.hanley@hdrinc.com)

[hdrinc.com/follow-us](https://hdrinc.com/follow-us)

\*MN, ND, SD, MT and TX

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**From:** Fast, Kristina - FPAC-FSA, MN <kristina.fast@usda.gov>  
**Sent:** Friday, June 14, 2024 3:41 PM  
**To:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>  
**Cc:** Scheidecker, Kevin J. <kscheidecker@otpc.com>; Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; Peterson, Monica <monica.peterson@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; FSA-MN-Executive <FSA-MNST2-Executive@usda.gov>  
**Subject:** RE: [External Email]BSSA FSA Coordination\_Route Shapefiles\_20240611

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**CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Good afternoon, Jennifer,

Please see the attached official response letter and payment report.

In response to your request, the table below reflects the counties that administer CRP contracts in the route of your proposed routes, along with the corresponding number of contracts.

County	# of CRP Contracts
Big Stone	30
Douglas	30
Pope	55
Stevens	22
Swift	79

---

As indicated in my previous email response, while FSA may confirm if there is CRP in the path of the project, specific information on the location of CRP contracts would not be released without consent from the contract holder(s), as it is protected under Exemption 3 of the Freedom of Information Act.

Our [Electronic Reading Room](#) includes publicly available information on payment recipients by program on the payment files information page. <https://www.fsa.usda.gov/news-room/efoia/electronic-reading-room/frequently-requested-information/payment-files-information/index>.

Attached is a downloaded version of the most recent payment report which contains Minnesota producers' payment information, names, and addresses. It is currently filtered by the five Minnesota counties impacted by your proposed transmission line and filtered for CRP payment recipients. The entire report is available at <https://www.fsa.usda.gov/Assets/USDA-FSA-Public/usdafiles/NewsRoom/eFOIA/excel/2023/STATE-IA-MT.FOIA.NA.PMT23.FINALDT24006.xlsx>.

Thank you,

**Kristina Fast**

*Agricultural Program Specialist/MN FOIA Coordinator*

Minnesota State Office



375 Jackson Street, St. Paul, MN, 55101

p: (507) 407-5003

e: [kristina.fast@usda.gov](mailto:kristina.fast@usda.gov) | w: [www.fsa.usda.gov/state-offices/Minnesota/index](http://www.fsa.usda.gov/state-offices/Minnesota/index)

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**Minnesota State Office**

375 Jackson Street, Suite 400  
Saint Paul, MN 55101-1852

June 14, 2024

Dear Jennifer,

This letter acknowledges receipt and provides a final response for your Freedom of Information Act (FOIA) request dated June 11, 2024, to the Department of Agriculture (USDA) Farm Service Agency (FSA). Your request was received in this office June 11, 2024, and assigned control number 2024-FSA-05425-F. Please use this control number for all future communications regarding this request. The request was perfected and was placed in the simple processing track under the category "Other Use". There is no fee for your request, as it fell within the two free search hours for this fee category.

Your request included the following language:

*Otter Tail Power and Missouri River Energy Services are working on the development of a 345-kV Transmission Project referred to as Big Stone South to Alexandria (BSSA) that will run from Big Stone, SD to Alexandria, MN. This is a greenfield project and there will be many challenges in developing the route. We do a great deal of outreach to local, state and federal agencies to solicit information on property that is either owned by the agency or the agency has an interest in it via an easement or contract such as CRP. Would FSA be able to review the routes and let us know if there was any land in CRP? We will be working on acquiring a 150-foot easement for our route corridor would like to know the process if we needed to acquire an easement on something that was currently in CRP.*

*Attached you will find shapefiles of our proposed routes. We would appreciate the opportunity to meet with FSA to discuss the routes and any pertinent information you may have. We will be introducing these routes to the public in open houses June 24-27 and are planning to submit a route permit application to the Minnesota Public Utilities Commission in the fourth quarter of 2024. In response to your request, \$ 2,138,403.98 in payments were issued in Big Stone County from the Farm Service Agency for Fiscal Year 2023, covering the time period of 10/1/2022 – 9/30/2023.*

In response to your request, the table below reflects the counties that administer CRP contracts in the route of your proposed routes, along with the corresponding number of contracts.

County	# of CRP Contracts
Big Stone	30
Douglas	30
Pope	55
Stevens	22
Swift	79

Jennifer Hanley  
June 14, 2024  
Page 2 of 2

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Request 2024-FSA-05425-F is officially closed. If you have any additional questions, please contact me at 507-407-5003 or via email at [kristina.fast@usda.gov](mailto:kristina.fast@usda.gov).

**Kristina Fast**  
*Minnesota FOIA Coordinator*

U.S. Fish and Wildlife Service

DATE	TYPE	FROM	TO	SUBJECT
October 13, 2023	Letter	U.S. Fish and Wildlife Service (USFWS)	Applicants	Record of BSSA Project representative's no effect determination for 'BSSA 345kV (MN)'
October 26, 2023	Email	Applicants	USFWS	Initial consultation with USFWS for the BSSA Project
October 26, 2023	Email	USFWS	Applicants	Response to initial consultation for the BSSA Project
October 26, 2023	Email	Applicants	USFWS	Response to initial consultation for the BSSA Project (continued)
November 10, 2023	Letter	Applicants	USFWS	Initial outreach for BSSA Project and request for comments
January 23, 2024	Meeting	N/A	N/A	Meeting between the Applicants and USFWS
February 13, 2024	Email/Documents	USFWS	Applicants	USFWS ROW request process
April 23, 2024	Email	Applicants	USFWS	BSSA Transmission Project routing
April 26, 2024	Email	USFWS	Applicants	Response to BSSA Transmission Project routing
April 29, 2024	Email	Applicants	USFWS	Response to USFWS on BSSA Transmission Project routing
April 29, 2024	Email	USFWS	Applicants	Response to BSSA Transmission Project routing
May 23, 2024	Email	Applicants	USFWS	Providing USFWS with BSSA Project shapefiles
May 29, 2024	Report	USFWS	Applicants	IPaC Report
June 4, 2024	Email	Applicants	USFWS	BSSA Minnesota USFWS coordination route shapefiles
June 4, 2024	Email	USFWS	Applicants	Response to applicants regarding route shapefiles
June 4, 2024	Email	USFWS	Applicants	Question regarding BSSA Minnesota route shapefiles
June 4, 2024	Email	Applicants	USFWS	Response to USFWS question regarding the BSSA Project route shapefiles
June 27, 2024	Email	USFWS	Applicants	BSSA Project ROW application for USFWS

DATE	TYPE	FROM	TO	SUBJECT
June 27, 2024	Meeting	N/A	N/A	Meeting between the Applicants and USFWS for the BSSA Project
June 28, 2024	Email	USFWS	Applicants	Eagle and trumpeter swan nest locations on Waldon WPA
July 31, 2024	Email/Attachment	Applicants	USFWS	USFWS information regarding the BSSA Project routing Attachments: USFWS ROW applicant information letter and standard form 299 application
August 20, 2024	Email	Applicants	USFWS	BSSA Project shapefiles
August 21, 2024	Email	USFWS	Applicants	Response to Applicants on BSSA transmission project
August 22, 2024	Email/Attachment	Applicants	USFWS	BSSA Project draft ROW easement document Attachment: Form MN-3A – Template Electric Transmission Easement (Standard Approach)
August 26, 2024	Email	USFWS	Applicants	Response to BSSA Project draft ROW easement document
August 27, 2024	Email	Applicants	USFWS	Requesting USFWS meeting to discuss the ROW permit process
August 28, 2024	Report	USFWS	Applicants	IPaC Report



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Assistant Regional Director-Ecological Services  
5600 American Blvd. West  
Bloomington, MN 55437-1458  
Phone: (612) 713-5350 Fax: (612) 713-5292



In Reply Refer To:  
Project code: 2024-0004779  
Project Name: BSSA 345kV (MN)

October 13, 2023

Federal Nexus: yes  
Federal Action Agency (if applicable):

**Subject:** Record of project representative's no effect determination for 'BSSA 345kV (MN)'

Dear Tracey Lee:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on October 13, 2023, for 'BSSA 345kV (MN)' (here forward, Project). This project has been assigned Project Code 2024-0004779 and all future correspondence should clearly reference this number. **Please carefully review this letter.**

### Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

### Determination for the Northern Long-Eared Bat

Based upon your IPaC submission and a standing analysis, your project has reached the determination of "No Effect" on the northern long-eared bat. To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A

consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

### **Other Species and Critical Habitat that May be Present in the Action Area**

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Dakota Skipper *Hesperia dacotae* Threatened
- Monarch Butterfly *Danaus plexippus* Candidate
- Red Knot *Calidris canutus rufa* Threatened
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

### **Critical Habitats:**

- Poweshiek Skipperling *Oarisma poweshiek* Endangered

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

### **Next Steps**

Based upon your IPaC submission, your project has reached the determination of "No Effect" on the northern long-eared bat. If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the Assistant Regional Director-Ecological Services and reference Project Code 2024-0004779 associated with this Project.

**Action Description**

You provided to IPaC the following name and description for the subject Action.

**1. Name**

BSSA 345kV (MN)

**2. Description**

The following description was provided for the project 'BSSA 345kV (MN)':

345kV double circuit capable transmission line to be in-service approximately 2031.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.532723950000005,-95.72224611753448,14z>





## DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the Endangered northern long-eared bat (*Myotis septentrionalis*). Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

## QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

**Note:** Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

**Note:** For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

Yes

5. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

No

6. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

**Note:** This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

No

7. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

No

8. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

No

9. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer “No” below and continue through the key. If you have determined that the northern long-eared bat does not occur in your project’s action area and/or that your project will have no effects whatsoever on the species despite the potential for it to occur in the action area, you may make a “no effect” determination for the northern long-eared bat.

**Note:** Federal agencies (or their designated non-federal representatives) must consult with USFWS on federal agency actions that may affect listed species [50 CFR 402.14(a)]. Consultation is not required for actions that will not affect listed species or critical habitat. Therefore, this determination key will not provide a consistency or verification letter for actions that will not affect listed species. If you believe that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, please answer “No” and continue through the key. Remember that this key addresses only effects to the northern long-eared bat. Consultation with USFWS would be required if your action may affect another listed species or critical habitat. The definition of [Effects of the Action](#) can be found here: <https://www.fws.gov/media/northern-long-eared-bat-assisted-determination-key-selected-definitions>

Yes

## **PROJECT QUESTIONNAIRE**

Will all project activities be completed by April 1, 2024?

*No*

**From:** [Scheidecker, Kevin J.](#)  
**To:** [Freske, Bruce](#)  
**Subject:** RE: [EXTERNAL] Big Stone South to Alexandria Transmission Project  
**Date:** Thursday, October 26, 2023 3:36:25 PM  
**Attachments:** [image001.png](#)

---

Thanks Bruce. I've added him to my list and sent him an email.

---

**From:** Freske, Bruce <bruce\_freske@fws.gov>  
**Sent:** Thursday, October 26, 2023 2:28 PM  
**To:** Scheidecker, Kevin J. <kscheidecker@otpc.com>; Budd, Michael <michael\_budd@fws.gov>; Marquardt, Shauna R <Shauna\_Marquardt@fws.gov>; Simpkins, Darin <Darin\_Simpkins@fws.gov>; Powers, Neil <neil\_powers@fws.gov>; Kerr, Tom <tom\_kerr@fws.gov>  
**Subject:** Re: [EXTERNAL] Big Stone South to Alexandria Transmission Project

\*\*\*This is an **EXTERNAL** email. DO NOT open attachments or click links in suspicious email.\*\*\*

Thanks Kevin for reaching out to us. Neil Powers should also be contacted as he oversees F&WS interests in the Douglas County portion of the corridor.

Bruce Freske  
District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 589-4961  
Mobile: (320) 287-0369

---

**From:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>  
**Sent:** Thursday, October 26, 2023 1:59 PM  
**To:** Budd, Michael <[michael\\_budd@fws.gov](mailto:michael_budd@fws.gov)>; Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>; Marquardt, Shauna R <[Shauna\\_Marquardt@fws.gov](mailto:Shauna_Marquardt@fws.gov)>; Simpkins, Darin <[Darin\\_Simpkins@fws.gov](mailto:Darin_Simpkins@fws.gov)>  
**Subject:** [EXTERNAL] Big Stone South to Alexandria Transmission Project

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Good Afternoon,

If you haven't already received something you will soon be receiving correspondence regarding the Otter Tail Power/Missouri River Energy Services new transmission line project. This project

proposes to connect Otter Tail Power's Big Stone South Substation in northeast South Dakota and Missouri River Energy Services Substation in Alexandria. I am reaching out to you to introduce myself as the environmental specialist with Otter Tail Power that will be working on routing and the environmental aspects of the project along with our other partners and consultants. It is our intention to engage all the agencies and stakeholders early on in the process in order to develop this project in the most effective way possible. We will be reaching out on a more personal level at some point and trying to arrange meetings to allow us to elicit comments, discuss permitting and allow for feedback opportunities.

Thank you in advance for your time and attention. Please let us know if there are others we should be contacting or feel free to forward this email on to other that should receive it. I look forward to working with you in the near future.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpco.com](mailto:kscheidecker@otpco.com)

---

**From:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>

**Sent:** Thursday, October 26, 2023 1:59 PM

**To:** Budd, Michael <[michael\\_budd@fws.gov](mailto:michael_budd@fws.gov)>; Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>; Marquardt, Shauna R <[Shauna\\_Marquardt@fws.gov](mailto:Shauna_Marquardt@fws.gov)>; Simpkins, Darin <[Darin\\_Simpkins@fws.gov](mailto:Darin_Simpkins@fws.gov)>

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Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

**From:** Freske, Bruce <bruce\_freske@fws.gov>

**Sent:** Thursday, October 26, 2023 2:28 PM

**To:** Scheidecker, Kevin J. <kscheidecker@otpc.com>; Budd, Michael <michael\_budd@fws.gov>; Marquardt, Shauna R <Shauna\_Marquardt@fws.gov>; Simpkins, Darin <Darin\_Simpkins@fws.gov>; Powers, Neil <neil\_powers@fws.gov>; Kerr, Tom <tom\_kerr@fws.gov>

**Subject:** Re: [EXTERNAL] Big Stone South to Alexandria Transmission Project

\*\*\*This is an **EXTERNAL** email. DO NOT open attachments or click links in suspicious email.\*\*\*

Thanks Kevin for reaching out to us. Neil Powers should also be contacted as he oversees F&WS interests in the Douglas County portion of the corridor.

Bruce Freske  
District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 589-4961  
Mobile: (320) 287-0369

---

**From:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>

**Sent:** Thursday, October 26, 2023 1:59 PM

**To:** Budd, Michael <[michael\\_budd@fws.gov](mailto:michael_budd@fws.gov)>; Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>; Marquardt, Shauna R <[Shauna\\_Marquardt@fws.gov](mailto:Shauna_Marquardt@fws.gov)>; Simpkins, Darin <[Darin\\_Simpkins@fws.gov](mailto:Darin_Simpkins@fws.gov)>

**Subject:** [EXTERNAL] Big Stone South to Alexandria Transmission Project

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Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpco.com](mailto:kscheidecker@otpco.com)



November 10, 2023

Michael Budd, Refuge Manager  
U.S. Fish and Wildlife Service- Big Stone National Wildlife Refuge  
44843 Co. Rd. 19  
Odessa, MN 56267

**Re: Request for Input for the Proposed Big Stone South to Alexandria Transmission Line Project (BSSA)**

Dear Mr. Budd,

Otter Tail Power Company (Otter Tail) and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency (Western Minnesota), are partnering to develop, construct, and co-own a new, approximately 100-mile, 345-kilovolt (kV) high voltage transmission line that will connect Otter Tail's existing Big Stone South 345-kV substation near Big Stone City, South Dakota to Western Minnesota's existing Alexandria 345-kV substation near Alexandria, Minnesota (referred to as the Project or BSSA). The Project is a segment of one of eighteen new transmission projects identified in the Upper Midwest by the Midcontinent Independent System Operator (MISO)<sup>1</sup> that is needed to ensure electric reliability, reduce transmission congestion, increase access to low-cost energy, and increase system resiliency to extreme weather events. The Project will be in Grant County, South Dakota and potentially in Big Stone, Lac qui Parle, Swift, Stevens, Pope, and Douglas Counties, Minnesota depending on the final route identified through the state permitting processes in Minnesota and South Dakota. Otter Tail and Western Minnesota were applicants to a Certificate of Need application that was filed with the Minnesota Public Utilities Commission (MN PUC) on September 29, 2023, and plan to submit a Route Permit application with the MN PUC in the fourth quarter of 2024 as well as a Facility Permit application with the South Dakota Public Utilities Commission in the second quarter of 2024. Depending on a variety of factors, construction of the Project is anticipated to start in 2027 and end in either 2030 or 2031.

Otter Tail and Western Minnesota started public engagement efforts in the second quarter of 2023 through a series of public meetings and has continued routing efforts since that time with a second round of public meetings recently occurring throughout the Project area over the past month. Otter Tail and Western Minnesota, with our consultants' help, have identified potential corridors as shown on the enclosed map. These corridors were based on: (1) an analysis of publicly available data; (2) stakeholder feedback and comments; (3) engineering and constructability best practices; (4) environmental considerations; and (5) regulatory rules and guidelines. These corridors are planning to be refined into a preferred route in which Otter Tail and Western Minnesota will seek to obtain a 150-foot-wide easement from landowners for the construction, operation, and maintenance of the proposed 345-kV transmission line.

We request your review of the corridors identified for the Project to help identify opportunities and constraints as we move towards defining a preferred route. We are particularly interested in any property located within or adjacent to the corridors which your agency may own or have an interest in. We would also appreciate being made aware of any proposed developments your agency may be contemplating within the corridors in addition to any information that might assist us in our siting analysis and studies. To help us identify potential concerns or opportunities in our on-going routing analysis, we request that you please provide us with any information pertaining to the Project by December 11, 2023. Verbal, written or email responses should be sent to:

---

<sup>1</sup> See more information at [www.misoenergy.org](http://www.misoenergy.org).

HDR, Inc.  
Attn: Jennifer Hanley  
51 N Broadway, Suite 550  
Fargo, ND 58102  
[Jennifer.hanley@hdrinc.com](mailto:Jennifer.hanley@hdrinc.com)  
701-353-6139

Future opportunities for input will also be available. As the Project progresses, we are planning to have additional consultations with agencies, other jurisdictions, and landowners as we develop and refine a preferred route.

If you desire further information regarding the proposed Project, please contact me at 218-739-8311 or [jweiers@otpc.com](mailto:jweiers@otpc.com) or our lead environmental consultant, Jennifer Hanley of HDR, Inc., at 701-353-6139 or [jennifer.hanley@hdrinc.com](mailto:jennifer.hanley@hdrinc.com). In addition, further information about the Project can also be found on our website at [www.BigStoneSouthtoAlexandria.com](http://www.BigStoneSouthtoAlexandria.com).

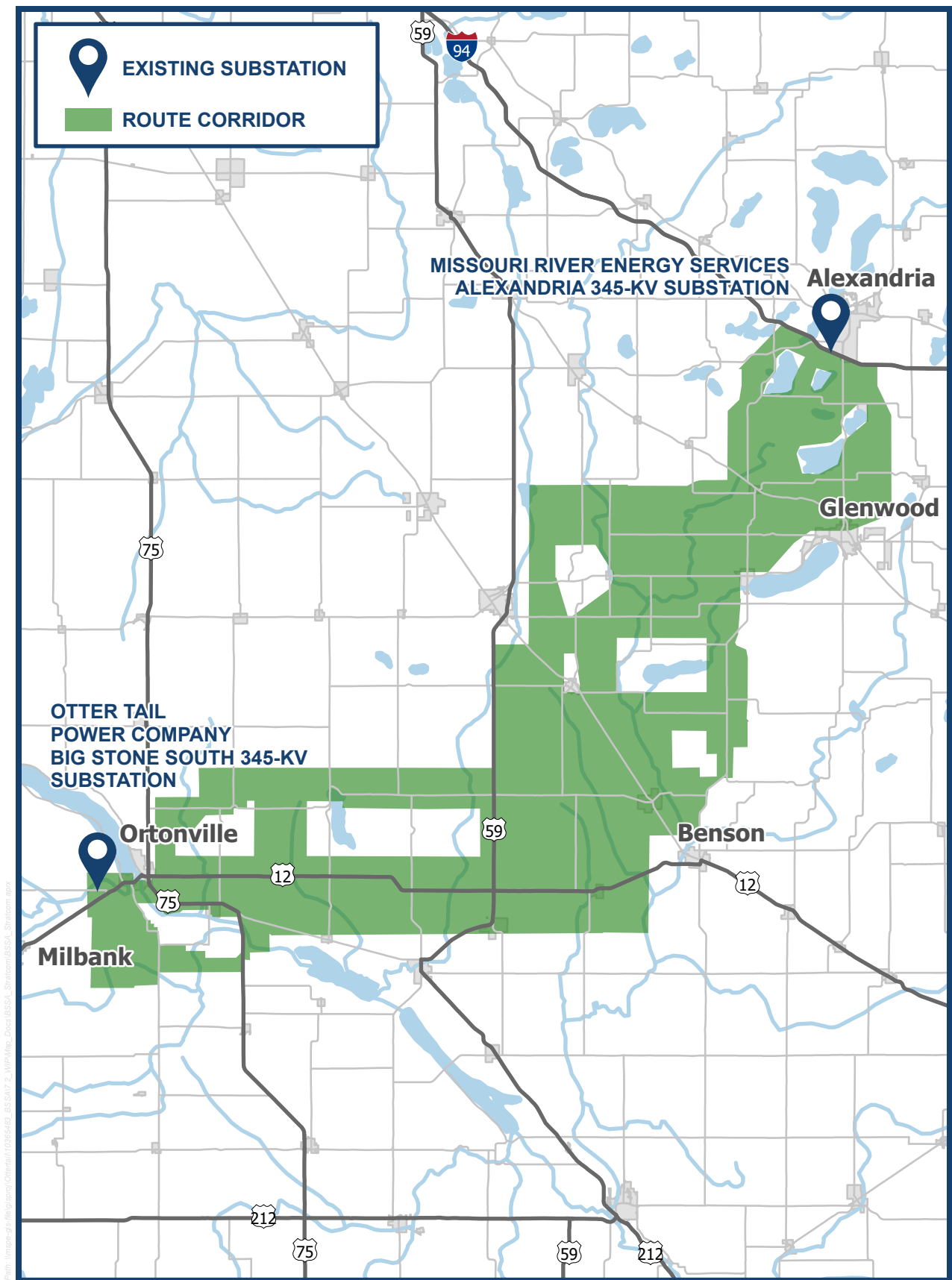
We appreciate and value your input in our on-going efforts to minimize effects to socioeconomics, avoid known culturally significant sites, protect natural resources, and utilize opportunities to parallel existing infrastructure corridors where feasible and look forward to your feedback and continued coordination.

Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map



▲ Route corridor is marked in green on the map above and subject to change.

---

**From:** Freske, Bruce <bruce\_freske@fws.gov>  
**Sent:** Tuesday, February 13, 2024 3:41 PM  
**To:** Hanley, Jennifer  
**Cc:** Budd, Michael; Powers, Neil; Humburg, Joshua; Weiers, Jason; Scheidecker, Kevin J.; Malkin, Devin; Peterson, Monica; Kerr, Tom; Kraetsch, Ashley M  
**Subject:** Re: [EXTERNAL] BSSA Minnesota USFWS Coordination Meeting Summary\_20240123  
**Attachments:** Roles and Responsibilities\_12182020 (1).docx; 340- FW 3 - R-O-W - with highlights.pdf; Compatability Use Flowchart - e1603fw2.pdf

**CAUTION:** [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jennifer:

Yes, ROW requests start with the Project Leader that oversees the affected tract. Attached is a ROW process document (Roles and Responsibilities) and some of the policy we must follow. Let me know if you have any other questions. I also copied my supervisor, Tom Kerr, as well as Ashley Kraetsch, who oversees ROW documentation, including NEPA, for ROW requests.

Bruce Freske  
District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 589-4961  
Mobile: (320) 287-0369

---

**From:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>  
**Sent:** Tuesday, February 13, 2024 1:50 PM  
**To:** Freske, Bruce <bruce\_freske@fws.gov>  
**Cc:** Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>; Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; Peterson, Monica <monica.peterson@hdrinc.com>  
**Subject:** RE: [EXTERNAL] BSSA Minnesota USFWS Coordination Meeting Summary\_20240123

Thanks for clarifying Bruce. So if there is a potential need, we start with you and Neil depending on the location? Any policy or process information you can share would be appreciated!

**Jennifer Hanley, PE\***  
D 701.353.6139

[hdrinc.com/follow-us](https://hdrinc.com/follow-us)

\*MN, ND, SD, MT and TX

---

**From:** Freske, Bruce <bruce\_freske@fws.gov>  
**Sent:** Tuesday, February 13, 2024 12:28 PM  
**To:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>

**Cc:** Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>  
**Subject:** Re: [EXTERNAL] BSSA Minnesota USFWS Coordination Meeting Summary\_20240123

You don't often get email from bruce\_freske@fws.gov. [Learn why this is important](#)

**CAUTION:** [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jennifer:

We don't have a ROW team. I can provide you with ROW policy information if you like and/or put you in contact with someone in our realty office for specific realty questions, however, in the F&WS the ROW process is fairly regimented and begins with the project leader(s) that oversee the affected tracts. As you can imagine, with the vast amount of land the federal government oversees, the application/review process for ROW requests is thoroughly covered by written policy.

Bruce Freske  
District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 589-4961  
Mobile: (320) 287-0369

---

**From:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>  
**Sent:** Tuesday, January 30, 2024 8:35 AM  
**To:** Weiers, Jason <jweiers@otpc.com>; Humburg, Joshua <jhumburg@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Freske, Bruce <bruce\_freske@fws.gov>; Powers, Neil <neil\_powers@fws.gov>; Budd, Michael <michael\_budd@fws.gov>  
**Cc:** Peterson, Monica <monica.peterson@hdrinc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Richard Dahl <richard.dahl@mrenergy.com>; Vacek, Sara <sara\_vacek@fws.gov>; Klavetter, Mead <Mead\_Klavetter@fws.gov>  
**Subject:** [EXTERNAL] BSSA Minnesota USFWS Coordination Meeting Summary\_20240123

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All,

Thank you for taking the time to meet with us to discuss the Big Stone South to Alexandria transmission line project last Tuesday. Attached you will find the meeting summary with the presentation slides attached. If you have any comments or edits, please let me know.

Our next steps will include setting up meetings with the other groups at USFWS. Bruce, would you be able to provide a contact for the USFWS Right of Way team?

Thanks,

Jen

**Jennifer Hanley, PE\***  
*Environmental Project Manager*

**HDR**  
51 North Broadway, Suite 550  
Fargo, ND 58102  
D 701.353.6139  
jennifer.hanley@hdrinc.com

[hdrinc.com/follow-us](http://hdrinc.com/follow-us)

\*MN, ND, SD, MT and TX



## 340 FW 3, Rights-of-Way and Road Closings

**FWM#:** 105 (new)  
**Date:** July 28, 1993  
**Series:** Real Property  
**Part 340:** Real Property Management  
**Originating Office:** Division of Realty

**3.1 Purpose.** The purpose is to set out the procedures to be followed by the Service in relation to rights-of-way and road closings in accordance with statutes, regulations, and policies.

**3.2 Scope.** This chapter applies to all Service activities relating to rights-of-way and road closings.

**3.3 Policy.** It is the policy of the Service to discourage the types of uses embodied in right-of-way requests. On areas in the National Wildlife Refuge System (System), if a right-of-way cannot be certified as compatible with the purposes for which a unit was established, it cannot be granted without authorization by Congress (50 CFR 29.21(g)). (See 3.6A(3) and A(4) below).

### 3.4 Authority and Regulations.

**A.** Prior to December 19, 1969, permits for rights-of-way across lands under the primary jurisdiction of the Service were issued by the Bureau of Land Management in accordance with regulations now published in 43 CFR 2800. After December 19, 1969, the Service's basic authority for granting right-of-way permits and/or easements is the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd(d)). In addition, authority to grant rights-of-way for pipelines for the transportation of oil, natural gas, or synthetic liquid, or gaseous fuels, or any refined product therefrom, is Section 28 of the Mineral Leasing Act of 1920, as amended, (30 U.S.C. 185).

**B.** Regulations covering the granting of rights-of-way on and across refuge lands are promulgated in 50 CFR, Parts 29.21 and 29.22. 50 CFR 29.21 requires a payment to the Service for use and occupancy of lands for rights-of-way. Fees from System lands are deposited in the Migratory Bird Conservation Fund and used for land acquisition. The Division of Realty has copies of these regulations available upon request.

**C.** Rights-of-way for the use of other than System lands (National Fish Hatcheries, Research Areas, and Administrative Sites) will be made under applicable authority cited in 43 CFR 2800 in accordance with procedures prescribed in 50 CFR 29.21. Some of these authorities are 43 U.S.C. 959, 43 U.S.C. 961, and 40 U.S.C. 319-319(c). These statutes should be thoroughly reviewed to determine which is applicable for a specific situation. Fees from other than System lands are deposited as directed by the Refuge Revenue Sharing Act (16 U.S.C. 715s).

### 3.5 Definitions.

**A. Right-of-way.** The term right-of-way as used in this chapter covers uses that will encumber real property by granting a right to use and alter the landscape through construction of a facility such as a road, powerline, pipeline, or building (air navigation facility, radio tower, etc.). Generally, such uses are for a relatively long period of time; i.e., 10 years or longer.

**B. Compatibility.** The term compatibility means that the requested right-of-way or use will not interfere with or detract from the purposes for which the unit of the National Wildlife Refuge System was established.

**C. Primary or Sole Control Areas.** These are lands owned by the United States where the Service is the primary administering agency. Lands acquired in fee by the Service, lands acquired by other Federal agencies and transferred to the Service, and public domain lands on which the Service has the primary withdrawal or reservation fall into this category. The Service grants rights-of-way on these areas.

**D. Secondary Control Areas.** These are lands owned by the United States, States, or others that are made available to the Service for management through permit, cooperative agreement, and overlay or secondary withdrawal. For such areas, the primary administering agency has the ultimate responsibility to grant rights-of-way. Most management agreements give the Service the right to make recommendations concerning such requests.

**E. Easement Areas.** These are areas on which the United States owns an interest in land but for which the fee title remains with the landowner. Usually, such easements are negative easements in that the landowner has agreed to maintain the land in an undeveloped state in accordance with terms as specified in the easement. For example, in Waterfowl Production Area easements, landowners agree to maintain wetlands by not filling, leveling, draining, or burning.

**F. Coordination Areas.** These are areas in which the United States has title (withdrawn or acquired lands) with custody in the Service, and made available to a State pursuant to the Fish and Wildlife Coordination Act (16 U.S.C 661-666c), as amended; or by long-term lease or agreement pursuant to the Bankhead-Jones Farm Tenant Act (50 Stat. 525), as amended. In such cases, the Service will grant the right-of-way.

**G. Alaska Native Claims Settlement Act (ANCSA) Lands.** These are lands in Alaska which were conveyed out of a refuge but for which application of refuge laws and regulations are retained in accordance with Section 22(g) of the Alaska Native Claims Settlement Act. These are similar to easement areas for granting of rights-of-way.

### 3.6 Permits vs Easements

#### A. General Guidance

**(1)** The term right-of-way should not be confused with short term and temporary use of an existing road or trail, etc., that can best be accommodated through special use permits. Rights-of-way that may be included in a contract for services, such as a powerline or telephone line that provides service to project facilities only, should also be handled through special use permits. Rights-of-way should not be confused with uses of project lands through rights that were reserved or outstanding at the time of acquisition. In these cases, a special use permit with stipulations to protect project values is used to authorize entry onto Service lands. No charge is made for the special use permits; however, surface damages that occur beyond what is ordinary or expected can be assessed to the user.



(2) Applications by any Federal, State, local agency, private individual, or organization for rights-of-way for roads and highways may be made under the above authorities in accordance with 50 CFR 29.21. In the case of Federal, State, or local agencies, use and occupancy charges can be waived only if there is an exemption from payment by any other provision of law. The Federal Aid Highway Act (Title 23 U.S. Code provides no such exemption).

(3) A determination of compatibility or noncompatibility cannot be made in an arbitrary manner and such a determination must be supported by facts. The facts can best be presented in an environmental assessment (EA) or environmental impact statement (EIS). A determination of compatibility with the purposes for which a unit of the System was established must mean consideration only of wildlife values or project values, not of any broader social or economic concerns.

(4) For lands in the System, the file must contain a finding by the Regional Director that the proposed use is compatible as defined in 50 CFR 29.21(g). If the proposed use cannot be certified as compatible, the permit or easement cannot be granted. The term "inconsistent" in Section 28(6)(1) of the Mineral Leasing Act of 1920, as amended, shall be deemed to mean a use that is "not compatible," as "compatible" is defined herein (50 CFR 29.21(g)). A compatibility determination is not required on Service lands other than those in the System (National Fish Hatcheries, Research Areas, and Administrative Sites).

(5) The regulations require a right-of-way permit from the Service where the interest owned by the United States will be adversely affected (thus needing protection by special stipulations). However, no charge will be made. If such interest will not be adversely affected, the Regional Director may simply give a letter of no objection. In each case, the landowner must grant the right-of-way.

(6) On Coordination Areas, written approval of the State administering the land must be obtained before a permit or easement may be granted.

**B. When to Use Permits.** Permits should be utilized for most Service outgrants. Permits generally have the same force and effect as easements and are subject to the same terms and conditions. Permits may be granted for up to 50 years. In the case of oil and gas pipelines, only permits are authorized and are limited to a 30-year period. Permits should contain stipulations to protect the interests of the United States and provide for termination for non-use or non-compliance. A basic form of permit is found in [Exhibit 1](#).

**C. When to Use Easements.** Right-of-way easements may be used when the type of use will substantially alter the real property and is of a permanent or long term nature. Also when the charge to be made for the grant is large, a permittee may insist on a recordable instrument to justify the investment. Some examples are major pipelines and electric power transmission lines (when permanent towers will be erected on the land). Generally, easements should be limited to a term of 50 years (30 years for oil and gas pipelines) and should be used only when public utilities are involved. Permits and/or easements for Federal aid or other public highways may be granted without term limitations. Permanent or long term easements for private use should not be granted. Any easement granted should contain stipulations to protect the interests of the United States and to provide for termination for non-use or non-compliance. A basic easement form is found in [Exhibit 2](#).

## **D. Designations**

(1) For record keeping purposes, permits and easements will carry a designation assigned (by Region) at the time of application and in sequence by date of application and specific type. Records will be established for uses that encumber real estate; i.e., those requiring construction or alteration of the land

(roads, powerlines, etc.); and those granting exclusive use of Federal property for a long period of time, 10 years or more. The use of Service land and/or facilities for a temporary or short period of time is usually handled by special use permit which should not be assigned a case number or included in the real property records. The Realty records will reflect a current record of permits/easements for each project in sequence of their application, e.g.:

(E1) Mountain States Power Co.

(E2) Golden Valley Electric Corp.

(D1) Valley Drainage District.

(E3) Valley Electric Corp.

**(2)** The alphabetical letter used to identify permits/easements for uses of a similar nature is capitalized and used as a prefix. Letter designations are as follows:

D - Ditch, canal, culvert

E - Electric transmission lines

L - Levee, dike

M - Miscellaneous (dock site, jetties, recreational area, stock driveway, right of passage, roadside park, dams)

P - Pipelines (gas, oil, sewer, water)

R - Road or highway

RR - Railroad

T - Telephone or telegraph

**(3)** An application which covers more than one use should carry the designation of the primary use; e.g., application for a highway and material site should be designated "R".

**(4)** When permits or rights-of-way are obtained by the Service on lands outside project boundaries, the designation assigned becomes 1E, 2E, 1D. etc.

### 3.7 Responsibilities.

**A. Regional Office.** The Regional Office (Division of Realty) will review right-of-way applications for adequacy and resolve any legal questions. The Regional Office will also prepare the appraisal of market value of the right-of-way and prepare the permit document and appropriate charges to the applicant. In situations where Ecological Services is involved with the application at the field level, Ecological Services will coordinate activities to develop a unified Service response.

**B. Project Leader.** The project leader plays a key role in the decision as to whether or not a right-of-way will be granted. He/she must have a good working knowledge of Title 50, Code of Federal Regulations, Parts 29.21 and 29.22, and the procedures under which rights-of-way are granted. The

basic responsibilities of the project leader, as they apply to rights-of-way, are to:

- (1) Ensure there is no occupancy of project lands unless a right-of-way has been granted except as stated in [3.6](#) above.
- (2) When a right-of-way is granted, ensure that the recipient complies with the terms and conditions of the grant and that the right-of-way is used only for the specific use granted.
- (3) Report to the Regional Director any right-of-way that has been abandoned so that it can be terminated and removed from the Service's real estate records.

**3.8 Preapplication Contact.** A prospective applicant will usually make an initial contact with the project leader concerning his/her desired use of project lands. For uses such as large powerlines, pipelines, or highways, the initial contact may be made at the Regional Office. At this contact, it is important to determine the magnitude of the proposed use. Will it affect only project lands or is it a part of a larger facility such as a power transmission line, a pipeline, or highway affecting the environment on and off the project? The project leader should discuss proposed routing and alternatives, if any. The prospective applicant should be given a copy of the regulations, 50 CFR 29.21 to 29.22, which describe the requirements for filing an application. If it is determined that the proposed right-of-way will affect the environment on and off the project, the Regional Office must be alerted and brought into discussions if not already involved. Care should be taken not to commit the Service to the granting of a right-of-way prior to actual approval by the Regional Director.

**3.9 Application Procedure.** The prospective applicant files an application with the Regional Director in accordance with the regulations and accompanies this request with an application fee as required by 50 CFR 29.21-2. Realty will check the request for completeness and conformance with the regulations and resolve any legal questions before it is coordinated with the project leader, Ecological Services, and other agencies as appropriate.

**3.10 Right-of-Way Package - Project Leader.** The project leader will consider the application and develop a package which will include the following information. Documents referenced are available in Realty offices.

**A. National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA).** The regulations in CFR 29.21-2(a)(4) require the applicant to furnish an environmental analysis from which the project leader may develop the environmental assessment (EA). This analysis should include alternatives to the proposed use and information concerning historical and cultural features. If these features are present, measures to protect them should be included in accordance with NEPA, NHPA, and Executive Order 11593.

**B. Floodplains and Wetlands.** If the proposed use is located in a floodplain or wetland, include an analysis of the potential effects, if any, of the proposed use on the floodplain or wetland. (See Executive Orders 11988 and 11990.)

**C. Coastal Zone Management.** Include a statement from the applicant as to the consistency of the proposed use with State coastal zone management programs, if appropriate.

**D. Endangered Species.** List any endangered species occurring on the project, if any, and a recommendation as to whether Section 7 consultation is required.



**E. Terms and Conditions.** List any special terms and conditions needed to protect the interest of the Service over and above the standard fifteen in 50 CFR 29.21-4(b) and recommend whether any of the standard fifteen should be deleted. If a proposed use can be made compatible through mitigation measures (50 CFR 29.21-7(c)), the applicant's recommendation of such mitigation measures should be included.

**F. Project Leader's Recommendation.** The project leader will make a recommendation whether the proposed use will be compatible (required on System lands only), can be made compatible through specific mitigation measures, or will not be compatible and should be denied and the reasons for such denial. If he/she concurs with the granting of the right-of-way, a Finding of No Significant Impact (FONSI) and a certification of compatibility will be prepared for the Regional Director's signature. If the right-of-way is to be denied, a draft of a letter of denial will be prepared to the applicant for the Regional Director's signature (See [3.6A\(3\)](#) and [\(4\)](#) above).

### **3.11 Right-of-Way Package - Regional Office.**

**A.** The right-of-way package will be referred to the Regional Office for preparation of the final documents. If the Regional Director decides to grant the right-of-way, Realty will make a determination of market value charges for the right-of-way and prepare the permit or easement document. The Regional Director will send the permit or easement including all special terms and conditions to the applicant for execution. Upon receipt of the approved permit and fees, the Regional Director will execute the permit or easement and send the original to the applicant. Realty will send a copy of the permit to the project leader and maintain a record file in the Regional Office.

**B.** At the time the right-of-way granting document is sent to the applicant, a certificate of completion of construction is transmitted to the applicant which is to be executed upon completion of construction and returned to the Regional Director.

**C.** If the Regional Director decides to deny the permit or easement, the applicant will be so informed in writing and the reasons for the denial stated. The Regional Director's decision may be appealed to the Director and the Director's decision may be appealed to the Secretary (43 CFR Part 4.700 Subpart G).

### **3.12. Oil and Gas Pipelines.**

**(1)** Applications for pipelines and related facilities for the transportation of oil, natural gas, synthetic liquid or gaseous fuels, or any refined product therefrom are to be filed in accordance with 50 CFR 29.21. Special requirements for these rights-of-way are included in 50 CFR 29.21-9. When the right-of-way or proposed facility will occupy Federal land under the control of more than one Federal agency and/or more than one bureau or office of the Department of the Interior, a single application shall be filed with the appropriate State Director of the Bureau of Land Management in accordance with regulations in 43 CFR Part 2800.

**(2)** Federal, State, and local government agencies and the public shall be given adequate notice and opportunity to comment upon pipeline right-of-way applications (Publish notice in the Federal Register).

**(3)** In accordance with 50 CFR 29.21-9(m), the Senate - Committee on Energy and Natural Resources and the House - Committee on Interior and Insular Affairs must be notified when the Service receives an application for a right-of-way for a pipeline 61.44 centimeters (24 inches) or more in diameter. Headquarters will notify the committees. If the Service decides to grant the right-of-way, a follow-up letter will be sent to the committees including a copy of the proposed right-of-way document. If a waiver of the 60-day waiting period is requested, the following information must be provided:

- (a) Justification for the waiver.
- (b) Description of the area affected by Township and Range.
- (c) The kilometers (miles) of right-of-way and hectares (acres) of permanent use which cross Federal lands by agency and county.

### **3.13 Reimbursement of Costs.**

**A.** When an application is received, the costs expected to be incurred in processing will be estimated. If the estimated costs exceed the application fee, the Regional Director shall require the applicant to make periodic payments in advance of the incurrence of such costs by the United States. On request by the applicant or prospective applicant, the Regional Director will provide an estimate of costs for processing the application.

**B.** If the permit or easement is to be granted, the holder agrees to reimburse the United States for reasonable costs incurred by the Service in monitoring the construction, operation, maintenance, and termination of facilities.

**C.** If actual costs for processing a right-of-way are used, Realty must document the charges (including those of all Divisions) in the file. The same procedure applies to monitoring fees.

**D.** Realty or the applicant will prepare an appraisal (subject to Service review and approval) of the market value to be charged for the right-of-way and also prepare the grant document.

**E.** No application or monitoring costs will be required of State or local governments or agencies or instrumentalities thereof except those for rights-of-way, easements, or permits for oil and gas pipelines under Section 28 of the Mineral Leasing Act of 1920, as amended by P.L. 93-153 (50 CFR 29.21-2). If any Federal, State or local agency is exempted from the payment for the use and occupancy of the land under another provision of Federal law, such agency shall otherwise compensate the Service at the discretion of the Regional Director or payment may be waived if he/she finds such payment impractical or unnecessary. The Federal Aid Highway Act does not provide an exemption from payment for the use and occupancy of Service lands.

**F.** Actual payment may be by lump sum or an annual market rental. Payment is to be made in advance. When annual rental payments are used, the rates shall be reviewed at any time not less than 5 years after the grant of the permit, right-of-way, or easement or last revision of charges and a new charge established if appropriate. (See 50 CFR 29.21-2 through 7).

**3.14 Post Permit Procedures.** The project leader is responsible for monitoring the construction and operation of the facility to ensure that the terms and conditions in the permit are being met and to protect the project and the public.

### **3.15 Road Closings.**

**A.** On any area acquired by the Service, it may become necessary or desirable to close certain public roads or highways that may no longer serve the public because of the establishment of the project. Public roads are established in a number of ways, such as dedication by the landowner, by prescription, or by statutory proceedings under the power of eminent domain.

**B.** Roads can be closed by condemnation proceedings or by complying with the applicable statutes of each State. Condemnation will not be used unless all other means fail and it is essential the road be closed. Each situation is best treated separately. Realty should provide the same assistance as if acquiring any other interest in land.

**C.** Revised Statute 2477 may need to be considered when attempting to eliminate access across public domain lands. Such access might be asserted according to State law. The right originated after 1886 and was repealed in 1976 with the enactment of the Federal Lands Policy and Management Act (P.L. 94-579). Use prior to 1976 can still be asserted, so public access rights thought to be eliminated are possible under Revised Statute 2477.

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**For more information about this chapter, please contact the Division of Realty. For more information about this Web page, contact [Krista Bibb](#), in the Division of Policy and Directives Management.**

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# **Great Lakes Region Refuges Roles and Responsibilities for Minor Boundary Expansions, Land Exchanges and Right-of-way Permits**

## **Document purpose:**

The Division of Realty (Realty) and the Branch of Conservation Planning (CP) have written this document to help you understand what is needed for certain realty transactions, why it may be needed, and who to contact for further information. Transactions that are summarized in this document include minor boundary expansions, exchanges, exchanges with minor boundary expansions and right-of-way requests. Please contact both Realty and Conservation Planning early in the process for any of these situations.

## **Minor Boundary Expansions and/or Exchange Process:**

Project Leader must complete the necessary documentation and process below when the U.S. Fish and Wildlife Service is proposing a minor boundary expansion (through an exchange, donation, or fee title acquisition) or an exchange with or without a minor boundary expansion. Compliance with NEPA must occur whether an exchange is entirely within the boundary or will include a minor boundary expansion due to the acquisition and divestiture of public property.

The steps to complete any of these actions are as follows:

1. Project Leader completes and sends in the following necessary documents to Area Supervisor for routing:
  - a. *Refuge Boundary Addition (Minor Boundary Expansion), Land Exchange, or Land Exchange with Minor Boundary Expansion Approval Routing Slip* (signed)
  - b. Narrative Project Description
  - c. Maps and/or surveys showing the location of the tracts and their relationship to the current refuge boundary
  - d. Section 7 Consultation with maps (signed)
  - e. SHPO/RHPO Clearance with maps (signed)
  - f. Cat-ex Checklist (signed)
  - g. Environmental Action Statement (draft not signed)
  - h. Statement of Compliance (draft)
  - i. Acquisition Proposal Information form, aka API (signed)

These documents are routed as follows: 1) Project Leader as initiator; 2) Area Supervisor for concurrence; 3) Branch of Conservation Planning will check the 10% rule and determine the level of environmental compliance required (typically a CatEx, on rare occasions requires EA); 4) NWRS Regional Chief for concurrence; 5) CP who retains a copy; 6) to Realty to start the acquisition.

2. Once Realty obtains a signed option, they notify Project Leader and CP to complete final environmental policy compliance.
3. Project Leader reviews the initial environmental policy compliance for accuracy and makes any necessary changes based on final tract configuration, acreage, or changes in environmental conditions (e.g., a new or delisted T&E species, controversy, etc) and sends to Branch of Conservation Planning the following:

- a. Final Narrative Project Description
  - b. Updated maps
  - c. Signed Section 7 Consultation (updated with final project maps)
  - d. Signed SHPO/RHPO Clearance (updated with final project maps)
  - e. Final NEPA documentation (EA or CatEx Checklist)
  - f. Environmental Action Statement (signed by Project Leader and Area Supervisor)
  - g. Statement of Compliance (updated as necessary to reflect dates compliance received and any changes in tract configuration or location, etc)
4. Routing *after* final documents are received by CP from Project Leader: 1) CP to the Regional Director through the NWRS Regional Chief; 2) return to CP; 3) CP sends final, RD signed, Environmental Policy Compliance Package to Project Leader, Realty Officer, and Realty Specialist.

### **Right-of-Way Request:**

Before the Division of Realty is able to process a right-of-way request, all environmental policy compliance must be complete. The process is outlined below.

1. Pre-consultation briefing with ROW Applicant, Project Leader, Realty, and Branch of Conservation Planning to understand the ROW project and environmental compliance needs.
2. ROW Applicant finalizes and sends in the completed ROW Permit Application form SF299-20 (along with application fee to be deposited by Realty).
3. Applicant and Project Leader work with Conservation Planning to complete environmental policy compliance. Applicant may be required to complete items below. Project Leader completes the following necessary documents and sends to Area Supervisor:
  - a. Finding of Appropriateness and Compatibility Determination
  - b. Maps and/or surveys showing the location of the ROW
  - c. Signed Section 7 Consultation (updated with final project maps)
  - d. Signed SHPO/RHPO Clearance (updated with final project maps)
  - e. Final NEPA documentation (EA or CatEx Checklist)
  - f. Environmental Action Statement (signed by Project Leader and Area Supervisor)
  - g. Statement of Compliance (updated as necessary to reflect dates compliance received and any changes in tract configuration or location, etc)

These documents are routed as follows and occurs prior to Realty completing due diligence:

- 1) Project Leader to Area Supervisor; 2) Area Supervisor to Branch of Conservation Planning; 3) Project Leader and Branch of Conservation Planning will complete environmental compliance; 4) CP to the Regional Director through the NWRS Regional Chief; 5) CP will send to the Division of Realty to begin the Right-of-Way permitting process.
4. Realty works with ROW Applicant and Project leader to complete due diligence process, which results in the issuance of a ROW permit.
  5. Routing *after* signed ROW permit from Applicant: 1) Realty request ROW signature by the Regional Director through the NWRS Regional Chief; 2) Realty to Project Leader.



**From:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>

**Sent:** Tuesday, April 23, 2024 3:10 PM

**To:** Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>

**Subject:** [EXTERNAL] BSSA Transmission Project Routing

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Bruce,

We are working on developing the two routes that we are required to submit with our route application to the MN PUC. Rest assured that we will be reaching out again to review our routing efforts with the USFWS as we prepare to submit our route application sometime in Quarter 4 of this year. In the meantime, we are working to appropriately route our project through all the lands for which the USFWS has an interest.

We feel that we have a good handle on USFWS fee title land and USFWS wetland easement lands. My question is more about lands with USFWS grassland easements. Our goal is to avoid any impacts to grassland easements such as temporary roads or structures but are we able to obtain a ROW easement on these lands if we have to cross

or overhang them? Is that a simpler process than obtaining an easement on your fee title land? Does it also trigger NEPA? I've read over all the documents you provided us regarding easements but it seemed to only pertain to fee title lands owned by the USFWS.

Thanks in advance for your help. This information will help us better set a course for how we microsite our routing efforts in the upcoming few weeks.

Kevin Scheidecker

Senior Environmental Specialist



Environmental Services

Direct: 218-739-8773

[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

**From:** Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>

**Sent:** Friday, April 26, 2024 9:29 AM

**To:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>

**Cc:** Kraetsch, Ashley M <[ashley\\_kraetsch@fws.gov](mailto:ashley_kraetsch@fws.gov)>; Kerr, Tom <[tom\\_kerr@fws.gov](mailto:tom_kerr@fws.gov)>; Kepford, Danielle <[danielle\\_kepford@fws.gov](mailto:danielle_kepford@fws.gov)>; Budd, Michael <[michael\\_budd@fws.gov](mailto:michael_budd@fws.gov)>; Powers, Neil <[neil\\_powers@fws.gov](mailto:neil_powers@fws.gov)>

**Subject:** Re: [EXTERNAL] BSSA Transmission Project Routing

**EXTERNAL**

---

Hi Kevin:

Ashley Kraetsch works in our Regional Office on ROW projects, she can answer your questions, particularly regarding NEPA. I copied her on this email.

My understanding is that the project requires a 150' wide ROW, therefore, if the poles run along the edge of a grassland easement (habitat easements in MN) you would still need approximately 75' of ROW on the easement. From a biological view, my greatest concerns are not the physical foot print of the poles, except when they impact native prairie, but rather the impact of the powerlines to flying birds. The attached picture is of a pelican which struck a powerline northeast of Ortonville last year, about 7 miles north of the current proposed powerline corridor in Big Stone County. Habitat easements are purchased with Duck Stamp funds for the primary purpose of providing breeding habitat for waterfowl, therefore the presence of flying waterfowl and other water birds is likely wherever we have habitat easements.

Bruce Freske

District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 460-1151  
Mobile: (320) 287-0369



---

**From:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>

**Sent:** Monday, April 29, 2024 7:24 AM

**To:** Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>

**Cc:** Kraetsch, Ashley M <[ashley\\_kraetsch@fws.gov](mailto:ashley_kraetsch@fws.gov)>; Kerr, Tom <[tom\\_kerr@fws.gov](mailto:tom_kerr@fws.gov)>; Kepford, Danielle <[danielle\\_kepford@fws.gov](mailto:danielle_kepford@fws.gov)>; Budd, Michael <[michael\\_budd@fws.gov](mailto:michael_budd@fws.gov)>; Powers, Neil <[neil\\_powers@fws.gov](mailto:neil_powers@fws.gov)>

**Subject:** Re: [EXTERNAL] BSSA Transmission Project Routing

Thanks Bruce. I appreciate getting your perspective on this. I'd guess USFWS will be hearing from us fairly soon on a request for a meeting and we'll be including ecological services as well. More to come.



Kevin Scheidecker

Senior Environmental Specialist

Environmental Services

Direct: 218-739-8773

[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

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**Subject:** Re: [EXTERNAL] BSSA Transmission Project Routing

**EXTERNAL**

Danielle <[danielle\\_kepford@fws.gov](mailto:danielle_kepford@fws.gov)>; Budd, Michael <[michael\\_budd@fws.gov](mailto:michael_budd@fws.gov)>; Powers, Neil <[neil\\_powers@fws.gov](mailto:neil_powers@fws.gov)>

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**Sent:** Tuesday, April 23, 2024 3:10 PM

**To:** Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>

**Subject:** [EXTERNAL] BSSA Transmission Project Routing

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Kevin Scheidecker  
Senior Environmental Specialist



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Direct: 218-739-8773

[kscheidecker@otpco.com](mailto:kscheidecker@otpco.com)



**From:** [Kraetsch, Ashley M](#)  
**To:** [Scheidecker, Kevin J.](#); [Freske, Bruce](#)  
**Cc:** [Kerr, Tom](#); [Kepford, Danielle](#); [Budd, Michael](#); [Powers, Neil](#); [Adams, Krista D](#); [Hanson, Kristina](#)  
**Subject:** RE: [EXTERNAL] BSSA Transmission Project Routing  
**Date:** Monday, April 29, 2024 9:41:44 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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\*\*\*This is an **EXTERNAL** email. DO NOT open attachments or click links in suspicious email.\*\*\*

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Hello Kevin,

As a follow-up to what Bruce said regarding NEPA, if USFWS needs to issue a 50 year ROW permit, then we will need to complete NEPA. If our interests on an easement are not being impacted, we can typically issue a Letter of No Objection and the jurisdiction of the resources being impacted in that case determines whether or not we need to complete NEPA to go with the Letter of No Objection. Once we know more about the exact location of the route, we can give you a better idea of whether or not we would need to complete NEPA.

\* Bruce, feel free to let Krista/Kristina/myself know if you'd like to set up a meeting to chat about this more.

**Ashley Kraetsch**

*Conservation Planner*

U.S. Fish & Wildlife Service – Midwest Region  
5600 American Blvd West, Suite 990  
Bloomington, MN 55437-1458

For Region 3 Planning resources, visit the [DNRCP SharePoint](#)



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**From:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>  
**Sent:** Monday, April 29, 2024 7:24 AM  
**To:** Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>  
**Cc:** Kraetsch, Ashley M <[ashley\\_kraetsch@fws.gov](mailto:ashley_kraetsch@fws.gov)>; Kerr, Tom <[tom\\_kerr@fws.gov](mailto:tom_kerr@fws.gov)>; Kepford, Danielle <[danielle\\_kepford@fws.gov](mailto:danielle_kepford@fws.gov)>; Budd, Michael <[michael\\_budd@fws.gov](mailto:michael_budd@fws.gov)>; Powers, Neil <[neil\\_powers@fws.gov](mailto:neil_powers@fws.gov)>  
**Subject:** Re: [EXTERNAL] BSSA Transmission Project Routing

Thanks Bruce. I appreciate getting your perspective on this. I'd guess USFWS will be hearing from us fairly soon on a request for a meeting and we'll be including ecological services as well. More to come.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

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**From:** Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>  
**Sent:** Friday, April 26, 2024 9:29 AM  
**To:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>  
**Cc:** Kraetsch, Ashley M <[ashley\\_kraetsch@fws.gov](mailto:ashley_kraetsch@fws.gov)>; Kerr, Tom <[tom\\_kerr@fws.gov](mailto:tom_kerr@fws.gov)>; Kepford, Danielle <[danielle\\_kepford@fws.gov](mailto:danielle_kepford@fws.gov)>; Budd, Michael <[michael\\_budd@fws.gov](mailto:michael_budd@fws.gov)>; Powers, Neil <[neil\\_powers@fws.gov](mailto:neil_powers@fws.gov)>  
**Subject:** Re: [EXTERNAL] BSSA Transmission Project Routing

\*\*\*This is an **EXTERNAL** email. DO NOT open attachments or click links in suspicious email.\*\*\*

Hi Kevin:

Ashley Kraetsch works in our Regional Office on ROW projects, she can answer your questions, particularly regarding NEPA. I copied her on this email.

My understanding is that the project requires a 150' wide ROW, therefore, if the poles run along the edge of a grassland easement (habitat easements in MN) you would still need approximately 75' of ROW on the easement. From a biological view, my greatest concerns are not the physical foot print of the poles, except when they impact native prairie, but rather the impact of the powerlines to flying birds. The attached picture is of a pelican which struck a powerline northeast of Ortonville last year, about 7 miles north of the current proposed powerline corridor in Big Stone County. Habitat easements are purchased with Duck Stamp funds for the primary purpose of providing breeding habitat for waterfowl, therefore the presence of flying waterfowl and other water birds is likely wherever we have habitat easements.

Bruce Freske  
District Manager, Morris Wetland Management District



U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 460-1151  
Mobile: (320) 287-0369

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**From:** Scheidecker, Kevin J. <[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)>  
**Sent:** Tuesday, April 23, 2024 3:10 PM  
**To:** Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>  
**Subject:** [EXTERNAL] BSSA Transmission Project Routing

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Bruce,

We are working on developing the two routes that we are required to submit with our route application to the MN PUC. Rest assured that we will be reaching out again to review our routing efforts with the USFWS as we prepare to submit our route application sometime in Quarter 4 of this year. In the meantime, we are working to appropriately route our project through all the lands for which the USFWS has an interest.

We feel that we have a good handle on USFWS fee title land and USFWS wetland easement lands. My question is more about lands with USFWS grassland easements. Our goal is to avoid any impacts to grassland easements such as temporary roads or structures but are we able to obtain a ROW easement on these lands if we have to cross or overhang them? Is that a simpler process than obtaining an easement on your fee title land? Does it also trigger NEPA? I've read over all the documents you provided us regarding easements but it seemed to only pertain to fee title lands owned by the USFWS.

Thanks in advance for your help. This information will help us better set a course for how we microsite our routing efforts in the upcoming few weeks.

Kevin Scheidecker  
Senior Environmental Specialist



Environmental Services

Direct: 218-739-8773

[kscheidecker@otpco.com](mailto:kscheidecker@otpco.com)

**From:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>

**Sent:** Thursday, May 23, 2024 9:02 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; monica.peterson@hdrinc.com <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>

**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523

\*\*\*This is an **EXTERNAL** email. DO NOT open attachments or click links in suspicious email.\*\*\*

All, it appears that Outlook stripped the content to the email I sent. Trying again.

Bruce/Michael/Neil,

Please find our attached our routes and buffers that we plan to present in June open houses. Once you've had the chance to review this information, we'd like to meet and discuss our routes, USFWS easements, and any comments you may have.

We have multiple public meeting coming up in June. The Minnesota Public Utilities Commission will be hosting public hearings for the Big Stone South to Alexandria (BSSA) and Alexandria to Big Oaks (ABO) Certificate of Need and the ABO Route Permit Application June 13, 17 and 18. Otter Tail Power Company and Missouri River Energy Services will also be hosting public open houses to discuss routes for BSSA June 24-27.

Once you have had the chance to review the routes attached, would like to continue our conversation with you to discuss any questions or concerns prior to our route permit application filing later this year. We will be in the project area for the open houses in late June and could meet in person or virtually in the mornings if you have availability.

Thanks,  
Jen

**Jennifer Hanley, PE\***

D 701.353.6139

[hdrinc.com/follow-us](https://hdrinc.com/follow-us)

\*MN, ND, SD, MT and TX

**From:** Hanley, Jennifer

**Sent:** Thursday, May 23, 2024 8:56 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; Peterson, Monica

<monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M  
<ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie  
<Katie.Raine@hdrinc.com>

**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240517

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

## Location

Minnesota and South Dakota



## Local offices

Minnesota-Wisconsin Ecological Services Field Office

☎ (952) 858-0793

3815 American Blvd East

Bloomington, MN 55425-1659

South Dakota Ecological Services Field Office

☎ (605) 224-8693

📠 (605) 224-1416

420 South Garfield Avenue, Suite 400

Pierre, SD 57501-5408

NOT FOR CONSULTATION

# Endangered species

**This resource list is for informational purposes only and does not constitute an analysis of project level impacts.**

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

- 
1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered

## Birds

NAME	STATUS
Rufa Red Knot <i>Calidris canutus rufa</i> Wherever found There is <b>proposed</b> critical habitat for this species. <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened

## Insects

NAME	STATUS
Dakota Skipper <i>Hesperia dacotae</i> Wherever found There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. <a href="https://ecos.fws.gov/ecp/species/1028">https://ecos.fws.gov/ecp/species/1028</a>	Threatened
Monarch Butterfly <i>Danaus plexippus</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate



# Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

## Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act<sup>1</sup> and the Migratory Bird Treaty Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below.

Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds  
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds  
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC  
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

**Bald Eagle** *Haliaeetus leucocephalus*

Breeds Dec 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

**Golden Eagle** *Aquila chrysaetos*

Breeds Jan 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1680>

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12



(0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

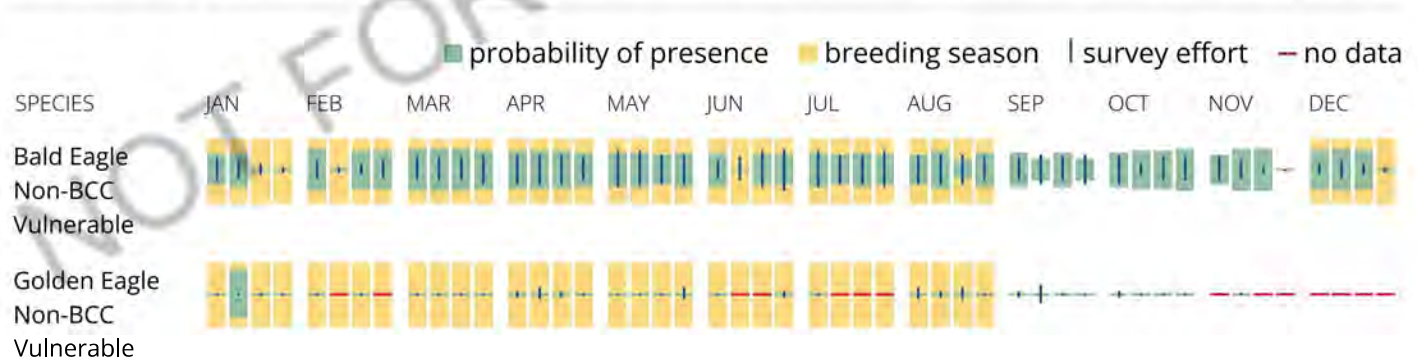
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

### No Data (—)

A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



### What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and->

[golden-eagles-may-occur-project-action](#)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Dec 1 to Aug 31
Black Tern <i>Chlidonias niger surinamensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3093">https://ecos.fws.gov/ecp/species/3093</a>	Breeds May 15 to Aug 20
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>	Breeds May 15 to Oct 10



Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Aug 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 20
Franklin's Gull <i>Leucophaeus pipixcan</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds Jan 1 to Aug 31
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8745">https://ecos.fws.gov/ecp/species/8745</a>	Breeds May 1 to Jul 20
Grasshopper Sparrow <i>Ammodramus savannarum</i> <i>perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/8329">https://ecos.fws.gov/ecp/species/8329</a>	Breeds Jun 1 to Aug 20
Henslow's Sparrow <i>Centronyx henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3941">https://ecos.fws.gov/ecp/species/3941</a>	Breeds May 1 to Aug 31

<p>Hudsonian Godwit <i>Limosa haemastica</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds elsewhere
<p>Le Conte's Sparrow <i>Ammospiza leconteii</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Jun 1 to Aug 15
<p>Le Conte's Sparrow <i>Ammospiza leconteii</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Jun 1 to Aug 15
<p>Lesser Yellowlegs <i>Tringa flavipes</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a></p>	Breeds elsewhere
<p>Marbled Godwit <i>Limosa fedoa</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p><a href="https://ecos.fws.gov/ecp/species/9481">https://ecos.fws.gov/ecp/species/9481</a></p>	Breeds May 1 to Jul 31
<p>Northern Harrier <i>Circus hudsonius</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p><a href="https://ecos.fws.gov/ecp/species/8350">https://ecos.fws.gov/ecp/species/8350</a></p>	Breeds Apr 1 to Sep 15
<p>Pectoral Sandpiper <i>Calidris melanotos</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds elsewhere
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 10 to Sep 10
<p>Ruddy Turnstone <i>Arenaria interpres morinella</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds elsewhere
<p>Rusty Blackbird <i>Euphagus carolinus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds elsewhere

Semipalmated Sandpiper *Calidris pusilla*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Short-billed Dowitcher *Limnodromus griseus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9480>

Upland Sandpiper *Bartramia longicauda*

Breeds May 1 to Aug 31

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/9294>

Western Grebe *aechmophorus occidentalis*

Breeds Jun 1 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/6743>

Willet *Tringa semipalmata*

Breeds Apr 20 to Aug 5

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events



for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

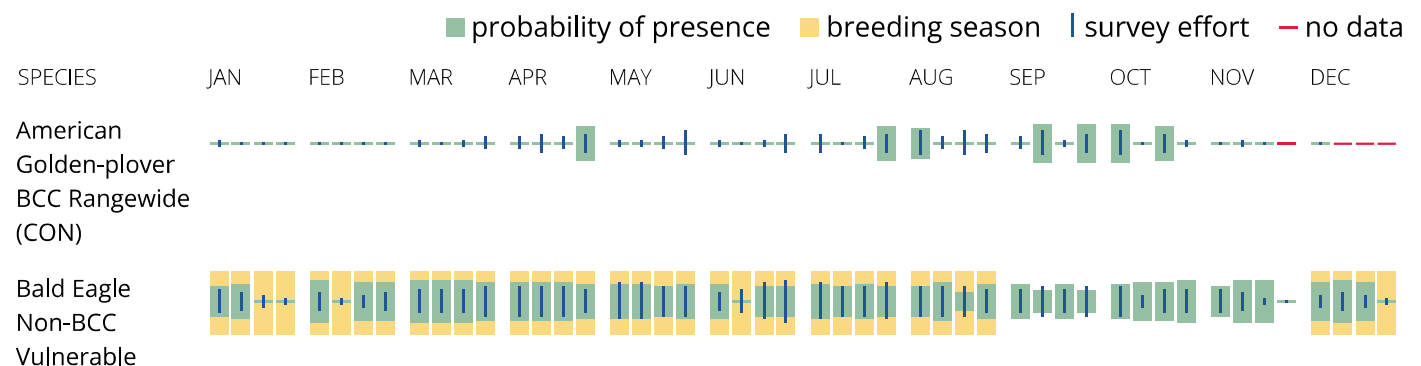
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

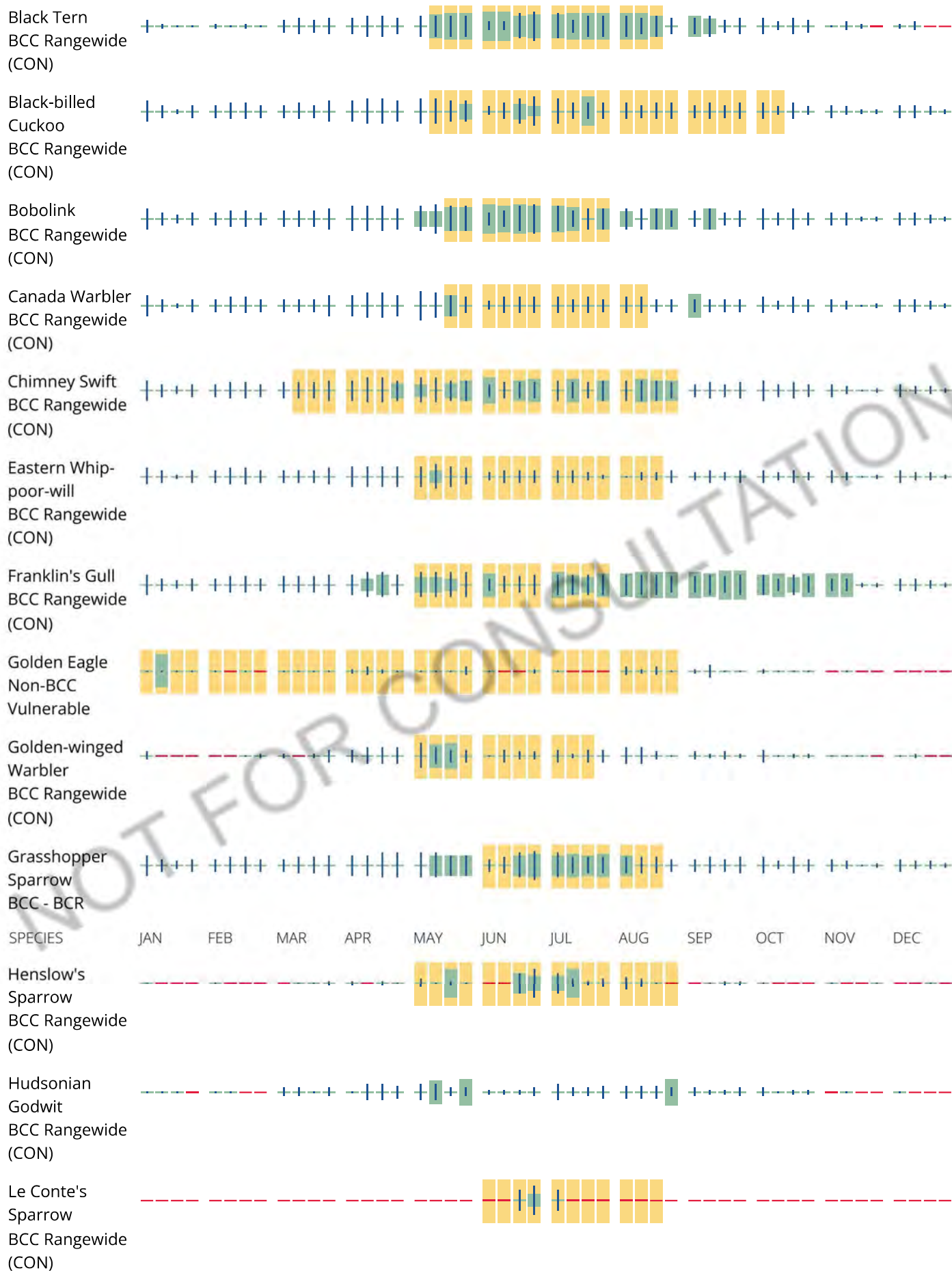
### No Data (—)

A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.







Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.



[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### **What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);

2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.



# Facilities

## National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

This location overlaps the following National Wildlife Refuge lands:

LAND	ACRES
BIG STONE NATIONAL WILDLIFE REFUGE	11,656.11 acres
DOUGLAS COUNTY WATERFOWL PRODUCTION AREA OF MN	29,570.85 acres
POPE COUNTY WATERFOWL PRODUCTION AREA	76,777.72 acres

## Fish hatcheries

There are no fish hatcheries at this location.

## Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

The area of this project is too large for IPaC to load all NWI wetlands in the area. The list below may be incomplete. Please contact the local U.S. Fish and Wildlife Service office or visit the [NWI map](#) for a full list.

#### FRESHWATER EMERGENT WETLAND

[PEM1A](#)  
[PEM1Af](#)  
[PEM1C](#)  
[PEM1B](#)  
[PEM1Ad](#)  
[PEM1Cd](#)  
[PEM1Ah](#)  
[PEM1Fd](#)  
[PEM1Ch](#)  
[PEM1F](#)  
[PEM1Ax](#)  
[PEM1Cx](#)  
[PEM1Fh](#)

#### FRESHWATER FORESTED/SHRUB WETLAND

[PFO1A](#)  
[PFO1Ah](#)  
[PFO1/EM1A](#)  
[PSS1/EM1A](#)  
[PFO1B](#)  
[PFO1Ch](#)  
[PFO1Cx](#)  
[PFO1Ax](#)

#### FRESHWATER POND

[PABFh](#)  
[PABF](#)  
[PABFx](#)

#### LAKE

[L1UBH](#)  
[L2UBH](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

**NOTE:** This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

#### **Data limitations**

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### **Data exclusions**

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### **Data precautions**

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



**From:** [Scheidecker, Kevin J.](#)  
**To:** [Freske, Bruce](#); [Budd, Michael](#); [Powers, Neil](#)  
**Cc:** [Humburg, Joshua](#); [Weiers, Jason](#); [Malkin, Devin](#); [Peterson, Monica](#); [Kerr, Tom](#); [Kraetsch, Ashley M](#); [Phinney, Samantha](#); [Raine, Katie](#); [Brian Zavesky](#); [Hanley, Jennifer](#)  
**Subject:** Re: BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523  
**Date:** Tuesday, June 4, 2024 10:26:21 AM  
**Attachments:** [Outlook-suxxzk1k.png](#)

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**CAUTION: [EXTERNAL]** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Our BSSA Project Team would like to schedule a meeting with the USFWS to review the two routes that we will be submitting to the MN PUC sometime in Q4 of this year. You all should have received the shape files of the two routes from Jen Hanley a couple of weeks ago. Please let me know if you had any problems accessing that information. We would like to review the routes with you in order to identify barriers that might exist to what we are proposing and get your help making sure we can successfully route through these areas.

We will be in the project area for our last round of open houses during the week of June 24th-27th. The open houses are scheduled for 3-6 PM each of those days but team members could be available to meet in person other times during the week. Please let us know if you are able to meet on any of those days and if you would like to meet at the Morris WMD office again. We would invite you to also attend any of the open houses as well. The schedule is:

- June 24, 2024 | 3:00-6:00 p.m. | Alexandria
- June 25, 2024 | 3:00-6:00 p.m. | Glenwood
- June 26, 2024 | 3:00-6:00 p.m. | Benson
- June 27, 2024 | 3:00-6:00 p.m. | Ortonville

We look forward to hearing from you and meeting with you soon.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

**From:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>

**Sent:** Thursday, May 23, 2024 9:02 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; monica.peterson@hdrinc.com <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>

**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523

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All, it appears that Outlook stripped the content to the email I sent. Trying again.

Bruce/Michael/Neil,

Please find our attached our routes and buffers that we plan to present in June open houses. Once you've had the chance to review this information, we'd like to meet and discuss our routes, USFWS easements, and any comments you may have.

We have multiple public meeting coming up in June. The Minnesota Public Utilities Commission will be hosting public hearings for the Big Stone South to Alexandria (BSSA) and Alexandria to Big Oaks (ABO) Certificate of Need and the ABO Route Permit Application June 13, 17 and 18. Otter Tail Power Company and Missouri River Energy Services will also be hosting public open houses to discuss routes for BSSA June 24-27.

Once you have had the chance to review the routes attached, would like to continue our conversation with you to discuss any questions or concerns prior to our route permit application filing later this year. We will be in the project area for the open houses in late June and could meet in person or virtually in the mornings if you have availability.

Thanks,  
Jen

**Jennifer Hanley, PE\***

D 701.353.6139

[hdrinc.com/follow-us](https://hdrinc.com/follow-us)

\*MN, ND, SD, MT and TX

**From:** Hanley, Jennifer

**Sent:** Thursday, May 23, 2024 8:56 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; Peterson, Monica

<monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M  
<ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie  
<Katie.Raine@hdrinc.com>

**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240517

**From:** [Scheidecker, Kevin J.](#)  
**To:** [Freske, Bruce](#); [Budd, Michael](#); [Powers, Neil](#)  
**Cc:** [Humburg, Joshua](#); [Weiers, Jason](#); [Malkin, Devin](#); [Peterson, Monica](#); [Kerr, Tom](#); [Kraetsch, Ashley M](#); [Phinney, Samantha](#); [Raine, Katie](#); [Brian Zavesky](#); [Hanley, Jennifer](#)  
**Subject:** Re: [EXTERNAL] Re: BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523  
**Date:** Tuesday, June 4, 2024 3:04:09 PM  
**Attachments:** [Outlook-suxxzk1k.png](#)  
[Outlook-0kcj4lz.png](#)

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Bruce,

Thanks for the questions. The PUC requires us to submit two routes to them in our route application. We do not select a primary and secondary route. The PUC will select one of the two routes or some combination of the two. They may even select something completely different. The key point here is that the PUC selects the route that we use. They will use the Environmental Assessment that is developed by the MN Department of Commerce to help guide the process.

I'll get our meeting set up as soon as I hear back from the other participants. Feel free to ask additional questions.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

---

**From:** Freske, Bruce <bruce\_freske@fws.gov>  
**Sent:** Tuesday, June 4, 2024 1:52 PM  
**To:** Scheidecker, Kevin J. <kscheidecker@otpc.com>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>  
**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; monica.peterson@hdrinc.com <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Hanley, Jennifer <jennifer.hanley@hdrinc.com>  
**Subject:** Re: [EXTERNAL] Re: BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523

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Hi Kevin:

I have reviewed the shapefile routes and have a couple of comments/questions as follows:

The route lines are the same color so I can't tell which route is preferred and which route is a proposed alternate. Also, is each route a fixed entity? If not, can we determine our preferred route by picking the sections we prefer given the various potential route sections indicated?

Thanks.

Bruce Freske  
District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 460-1151  
Mobile: (320) 287-0369

---

**From:** Scheidecker, Kevin J. <kscheidecker@otpc.com>

**Sent:** Tuesday, June 4, 2024 9:26 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; monica.peterson@hdrinc.com <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Hanley, Jennifer <jennifer.hanley@hdrinc.com>

**Subject:** [EXTERNAL] Re: BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523

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Kevin Scheidecker  
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**From:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>

**Sent:** Thursday, May 23, 2024 9:02 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

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**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523

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Jen

**Jennifer Hanley, PE\***  
D 701.353.6139

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\*MN, ND, SD, MT and TX

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**Sent:** Thursday, May 23, 2024 8:56 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; Peterson, Monica <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>

**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240517

From: [Freske, Bruce](#)  
To: [Scheidecker, Kevin J.](#); [Budd, Michael](#); [Powers, Neil](#)  
Cc: [Humburg, Joshua](#); [Weiers, Jason](#); [Malkin, Devin](#); [Peterson, Monica](#); [Kerr, Tom](#); [Kraetsch, Ashley M](#); [Phinney, Samantha](#); [Raine, Katie](#); [Brian Zavesky](#); [Hanley, Jennifer](#)  
Subject: Re: [EXTERNAL] Re: BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523  
Date: Tuesday, June 4, 2024 2:52:55 PM  
Attachments: [Outlook-suxxzk1k.png](#)

---

You don't often get email from bruce\_freske@fws.gov. [Learn why this is important](#)

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Hi Kevin:

I have reviewed the shapefile routes and have a couple of comments/questions as follows:

The route lines are the same color so I can't tell which route is preferred and which route is a proposed alternate. Also, is each route a fixed entity? If not, can we determine our preferred route by picking the sections we prefer given the various potential route sections indicated?

Thanks.

Bruce Freske  
District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 460-1151  
Mobile: (320) 287-0369

---

**From:** Scheidecker, Kevin J. <kscheidecker@otpc.com>  
**Sent:** Tuesday, June 4, 2024 9:26 AM  
**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>  
**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; monica.peterson@hdrinc.com <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Hanley, Jennifer <jennifer.hanley@hdrinc.com>  
**Subject:** [EXTERNAL] Re: BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523



**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Good Morning,

Our BSSA Project Team would like to schedule a meeting with the USFWS to review the two routes that we will be submitting to the MN PUC sometime in Q4 of this year. You all should have received the shape files of the two routes from Jen Hanley a couple of weeks ago. Please let me know if you had any problems accessing that information. We would like to review the routes with you in order to identify barriers that might exist to what we are proposing and get your help making sure we can successfully route through these areas.

We will be in the project area for our last round of open houses during the week of June 24th-27th. The open houses are scheduled for 3-6 PM each of those days but team members could be available to meet in person other times during the week. Please let us know if you are able to meet on any of those days and if you would like to meet at the Morris WMD office again. We would invite you to also attend any of the open houses as well. The schedule is:

- June 24, 2024 | 3:00-6:00 p.m. | Alexandria
- June 25, 2024 | 3:00-6:00 p.m. | Glenwood
- June 26, 2024 | 3:00-6:00 p.m. | Benson
- June 27, 2024 | 3:00-6:00 p.m. | Ortonville

We look forward to hearing from you and meeting with you soon.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

---

**From:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>

**Sent:** Thursday, May 23, 2024 9:02 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker,

Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; monica.peterson@hdrinc.com <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>  
**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523

\*\*\*This is an **EXTERNAL** email. DO NOT open attachments or click links in suspicious email.\*\*\*

All, it appears that Outlook stripped the content to the email I sent. Trying again.

Bruce/Michael/Neil,

Please find our attached our routes and buffers that we plan to present in June open houses. Once you've had the chance to review this information, we'd like to meet and discuss our routes, USFWS easements, and any comments you may have.

We have multiple public meeting coming up in June. The Minnesota Public Utilities Commission will be hosting public hearings for the Big Stone South to Alexandria (BSSA) and Alexandria to Big Oaks (ABO) Certificate of Need and the ABO Route Permit Application June 13, 17 and 18. Otter Tail Power Company and Missouri River Energy Services will also be hosting public open houses to discuss routes for BSSA June 24-27.

Once you have had the chance to review the routes attached, would like to continue our conversation with you to discuss any questions or concerns prior to our route permit application filing later this year. We will be in the project area for the open houses in late June and could meet in person or virtually in the mornings if you have availability.

Thanks,  
Jen

Jennifer Hanley, PE\*  
D 701.353.6139

[hdrinc.com/follow-us](https://hdrinc.com/follow-us)

\*MN, ND, SD, MT and TX

---

**From:** Hanley, Jennifer

**Sent:** Thursday, May 23, 2024 8:56 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; Peterson, Monica <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>

**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240517

From: [Freske, Bruce](#)  
To: [Scheidecker, Kevin J.](#); [Budd, Michael](#); [Powers, Neil](#)  
Cc: [Humburg, Joshua](#); [Weiers, Jason](#); [Peterson, Monica](#); [Kerr, Tom](#); [Kraetsch, Ashley M](#); [Phinney, Samantha](#); [Raine, Katie](#); [Brian Zavesky](#); [Hanley, Jennifer](#); [Malkin, Devin](#)  
Subject: Re: [EXTERNAL] Re: BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523  
Date: Tuesday, June 4, 2024 11:01:34 AM  
Attachments: [Outlook-suxxzk1k.png](#)

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Hi Kevin: I am fine with meeting at the Morris WMD office. I am available most days for the week of June 24th as follows:

June 24: 10-5

June 26: 8-5

June 27: 9-5

Get [Outlook for iOS](#)

---

**From:** Scheidecker, Kevin J. <kscheidecker@otpc.com>

**Sent:** Tuesday, June 4, 2024 9:26:07 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; monica.peterson@hdrinc.com <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Hanley, Jennifer <jennifer.hanley@hdrinc.com>

**Subject:** [EXTERNAL] Re: BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523

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We look forward to hearing from you and meeting with you soon.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

---

**From:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>

**Sent:** Thursday, May 23, 2024 9:02 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; monica.peterson@hdrinc.com <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>

**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523

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---

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Thanks,  
Jen

Jennifer Hanley, PE\*  
D 701.353.6139

[hdrinc.com/follow-us](https://hdrinc.com/follow-us)

\*MN, ND, SD, MT and TX

---

**From:** Hanley, Jennifer

**Sent:** Thursday, May 23, 2024 8:56 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Powers, Neil <neil\_powers@fws.gov>

**Cc:** Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Scheidecker, Kevin J. <kscheidecker@otpc.com>; Malkin, Devin <devin.malkin@hdrinc.com>; Peterson, Monica <monica.peterson@hdrinc.com>; Kerr, Tom <tom\_kerr@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Phinney, Samantha <Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>

**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240517

**From:** Adams, Krista D <krista\_adams@fws.gov>  
**Sent:** Thursday, June 27, 2024 9:59 AM  
**To:** Scheidecker, Kevin J. <kscheidecker@otpco.com>  
**Cc:** Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Hanson, Kristina <kristina\_Hanson@fws.gov>; Freske, Bruce <bruce\_freske@fws.gov>; Powers, Neil <neil\_powers@fws.gov>; Budd, Michael <michael\_budd@fws.gov>  
**Subject:** BSSA transmission project ROW application for FWS

EXTERNAL

---

Hi Kevin,

Thanks for the meeting today. I appreciate the detailed information. See attached application. We need this filled out for a ROW permit. Please submit this with a detailed legal description, survey plats/maps, shape files, and or CAD files that you have.

Thanks,

Krista

Krista Adams (she/her/hers)

Deputy Realty Officer

e

5600 American Blvd. W, Suite 990  
Bloomington, MN 55437  
612-289-0451 cell  
krista\_adams@fws.gov

APPLICATION FOR TRANSPORTATION, UTILITY SYSTEMS, TELECOMMUNICATIONS AND FACILITIES  
ON FEDERAL LANDS AND PROPERTYFORM APPROVED  
OMB Control Number: 0596-0249  
Expiration Date: 2/28/2023

## FOR AGENCY USE ONLY

**NOTE:** Before completing and filing the application for an authorization (easement, right-of-way, lease, license or permit), the applicant should completely review this package, including instructions, and schedule a pre-application meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the pre-application meeting.

Application Number

Date Filed

1. Name and address of applicant

2. Name and address of authorized agent if different from item 1

3. Applicant telephone number and email:

Authorized agent telephone number and email:

4. As applicant are you? (check one)

- a. ☐ Individual  
 b. ☐ Corporation\*  
 c. ☐ Partnership/Association\*  
 d. ☐ State Government/State Agency  
 e. ☐ Local Government  
 f. ☐ Federal Agency

\* If checked, complete supplemental page

5. Specify what application is for: (check one)

- a. ☐ New authorization  
 b. ☐ Renewing existing authorization number  
 c. ☐ Amend existing authorization number  
 d. ☐ Assign existing authorization number  
 e. ☐ Existing use for which no authorization has been received \*  
 f. ☐ Other\*

\* If checked, provide details under item 7

6. If an individual, or partnership, are you a citizen(s) of the United States? ☐ Yes ☐ No

7. Project description (describe in detail): (a) Type of use or occupancy, (e.g., canal, pipeline, road, telecommunications); (b) related structures and facilities; (c) physical specifications (Length, width, grading, etc.); (d) term of days/years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for activity/construction (Attach additional sheets, if additional space is needed.)

8. Attach a map covering area and show location of project proposal.

9. State or Local government approval: ☐ Attached ☐ Applied for ☐ Not Required10. Nonrefundable application fee: ☐ Attached ☐ Not required ☐ To be determined by agency11. Does project cross international boundary or affect international waterways? ☐ Yes ☐ No (if "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

13a. Describe other alternative locations considered.

b. Why were these alternatives not selected?

c. Give explanation as to why it is necessary to use or occupy Federal assets (lands or buildings).

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (*Specify number, date, code, or name*)

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability; and, (g) historic or archaeological resources or properties.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plant life, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

19. State whether any hazardous material, as defined in this paragraph, would be used, produced, transported or stored on or in a federal building or federal lands or would be used in connection with the proposed use or occupancy. "Hazardous material" shall mean (a) any hazardous substance under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. § 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws. The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include (or in the case of approval provided after this permit is issued, shall be amended to include) specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

20. Name all the Federal Department(s)/Agency(ies) where this application is being filed.

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.



GENERAL INFORMATION  
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation utility systems telecommunication installations facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Wired and wireless systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture  
Regional Forester, Forest Service (USFS)  
P.O. Box 21628  
Juneau, Alaska 99802-1628  
Telephone: (907) 586-7847  
(or a local Forest Service Office)

Department of the Interior  
Bureau of Indian Affairs (BIA)  
Alaska Regional Office  
709 West 9th Street  
Juneau, Alaska 99802  
Telephone: (907) 586-7177

Department of the Interior  
Alaska State Office  
Bureau of Land Management  
222 West 7th Avenue #13  
Anchorage, Alaska 99513  
Public Room: 907-271-5960  
FAX: 907-271-3684  
(or a local BLM Office)

U.S. Fish & Wildlife Service (FWS)  
Office of the Regional Director  
1011 East Tudor Road  
Anchorage, Alaska 99503  
Telephone: (907) 786-3440

National Park Service (NPS)  
Alaska Regional Office  
240 West 5th Avenue  
Anchorage, Alaska 99501  
Telephone: (907) 644-3510

Department of Transportation  
Federal Aviation Administration  
Alaska Region AAL-4, 222 West 7th Ave., Box 14  
Anchorage, Alaska 99513-7587  
Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation, utility systems, telecommunication installations and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS  
(Items not listed are self-explanatory)

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate locations in as much detail as possible, discussing why certain locations were rejected and why it is necessary to use Federal assets will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate locations as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information with as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Officer, P.O. Box 120, 1675 C Street, Anchorage, Alaska 99513.

#### **EFFECT OF NOT PROVIDING INFORMATION**

Disclosure of the information is voluntary. If all the information is not provided, the proposal or application may be rejected.

#### **DATA COLLECTION STATEMENT**

The Federal agencies collect this information from proponents and applicants requesting a right-of-way, permit, license, lease, or certification for use of Federal assets. The Federal agencies use this information to evaluate a proponent's or applicant's proposal to use Federal assets.

#### **BURDEN STATEMENT**

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0249. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The authority to collect this information is derived from 47 U.S.C. 1455(c)(3) and 16 U.S.C. 3210.

#### **USDA NONDISCRIMINATION STATEMENT**

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

## SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide instructions	CHECK APPROPRIATE BLOCK	
<b>I - PRIVATE CORPORATIONS</b>	ATTACHED	FILED *
a. Articles of Incorporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Corporation Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.	<input type="checkbox"/>	<input type="checkbox"/>
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.	<input type="checkbox"/>	<input type="checkbox"/>
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.	<input type="checkbox"/>	<input type="checkbox"/>
<b>II - PUBLIC CORPORATIONS</b>		
a. Copy of law forming corporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Proof of organization	<input type="checkbox"/>	<input type="checkbox"/>
c. Copy of Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	<input type="checkbox"/>	<input type="checkbox"/>
<b>III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY</b>		
a. Articles of association, if any	<input type="checkbox"/>	<input type="checkbox"/>
b. If one partner is authorized to sign, resolution authorizing action is	<input type="checkbox"/>	<input type="checkbox"/>
c. Name and address of each participant, partner, association, or other	<input type="checkbox"/>	<input type="checkbox"/>
d. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	<input type="checkbox"/>	<input type="checkbox"/>

\* If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

---

**From:** Freske, Bruce <bruce\_freske@fws.gov>  
**Sent:** Friday, June 28, 2024 4:42 PM  
**To:** Hanley, Jennifer <Jennifer.Hanley@hdrinc.com>  
**Cc:** Klavetter, Mead <Mead\_Klavetter@fws.gov>; Vacek, Sara <sara\_vacek@fws.gov>  
**Subject:** Eagle and Trumpeter Swan Nest Locations on Waldon WPA

**CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Jennifer:

Attached is an image that shows the location of an eagle nest and trumpeter swan Nest on Waldon WPA. I don't know if those nests are active this year. The Trumpeter Swan nests tend to move around more frequently than the eagle nests. I copied Mead Klavetter, the Assistant Manager, and Sara Vacek, the Biologist, that are stationed here as they may have more current information. The area in the picture is Mud Lake, located on Waldon WPA in Walden Township, Section 20 and 29.

Bruce Freske  
District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 460-1151  
Mobile: (320) 287-0369

**From:** Freske, Bruce <bruce\_freske@fws.gov>

**Sent:** Wednesday, July 31, 2024 7:44 AM

**To:** Scheidecker, Kevin J. <kscheidecker@otpc.com>

**Cc:** Kerr, Tom <tom\_kerr@fws.gov>; Adams, Krista D <krista\_adams@fws.gov>; Hanson, Kristina <kristina\_Hanson@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Powers, Neil <neil\_powers@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Klavetter, Mead <Mead\_Klavetter@fws.gov>

**Subject:** U.S. Fish and Wildlife Service Information Regarding BSSA Transmission Project Routing

EXTERNAL

Dear Sir:

Thank you for the opportunity to provide feedback and input into the routing process for this project. We appreciate you and your team's efforts to explain the proposed routes for the Otter Tail Power/Missouri River Energy Services new transmission line project which proposes to connect Otter Tail Power's Big Stone South Substation in northeast South Dakota and Missouri River Energy Services Substation in Alexandria, MN. A preliminary review of U.S. Fish and Wildlife Service (Service) fee and conservation easement interests indicates that one or two waterfowl habitat easements, possibly one or more waterfowl production areas, and up to thirteen wetland areas protected by wetland easements, would be crossed. Collectively, these are all lands of the National Wildlife Refuge System (Refuge System). The actual number of tracts crossed is of course, dependent on the final route segments selected, with other options having potentially higher rates of crossing/impacts.

All new right-of-way proposals that cross Service managed or administered lands require the applicant to apply for a right-of-way permit (Standard Form 299-20 - attached). Upon receipt of the application, the Service is required by law to complete a thorough assessment of the entire project to include possible impacts to Refuge System lands, migratory birds, cultural resources, and threatened and endangered species. The environmental review will include a compatibility determination as outlined by the National Wildlife Refuge System Improvement Act of 1997. To be found compatible, projects must not materially detract from or interfere with the fulfillment of the Refuge System mission or the purpose of the refuge. Inherent in fulfilling the Refuge System mission is not degrading the ecological integrity of the refuge and it is incumbent upon the proponent to show that the proposed use will pass this threshold. For projects to be found compatible, it is also a necessary requirement for completion of a National Environmental Policy Act (NEPA) analysis, Endangered Species Act (Section 7) review, National Historic Preservation Act (Section 106) review, and any applicable state or tribal government coordination. An assessment of potential impacts to migratory birds will also be conducted to identify mitigation measures and recommend bird strike avoidance strategies.

Depending on the findings from the environmental review, the Service may approve with conditions or deny the permit for a right-of-way. Please understand that this review process may take several months and final approval for a permit may not be granted. By policy (50 CFR 29), approved rights-of-way permits are limited to a lifespan of 50 years. Upon expiration of the right-of-way permit, applicants are required to reapply for a new permit.

Thanks again for the opportunity to outline the environmental review and permitting process for this project. We appreciate your early coordination with us and look forward to continued coordination as project parameters evolve.

Sincerely,

Bruce Freske, Morris Wetland Management District Project Leader

Neil Powers, Fergus Falls Wetland Management District Project Leader

Michael Budd, Big Stone National Wildlife Refuge Project Leader

Bruce Freske  
District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 460-1151  
Mobile: (320) 287-0369

## U.S. Fish & Wildlife Service Right-of-Way Applicant Information

This information is intended for any entity that is interested in applying for a Right-of-Way (ROW) Permit from the U.S. Fish and Wildlife Service (Service) or (USFWS) in order to construct facilities or conduct activities on land currently owned or managed by the Service. This information is intended to provide a summary of the permitting process that is followed by the Service to grant ROW permits as mandated by federal regulations and agency policies. Please see the attached official Federal form SF-299, the application to begin the ROW permitting process. The applicant is also encouraged to review Federal regulations that govern the ROW process (50 CFR §29.21).

Please include project details, legal descriptions, map, and a survey completed by a licensed surveyor of the proposed ROW area. The application will also need to provide sufficient environmental analysis data and cultural information to enable the Service to complete and ensure compliance required under the National Environmental Policy Act of 1970 (NEPA) and the National Historic Preservation Act of 1966 (NHPA).

If the proposed project is compliant with NEPA and NHPA the project will proceed through a compatibility determination (CD). Compatibility is determined by standards set forth in the National Wildlife Refuge System Improvement Act of 1997 and will need to uphold the purpose for which the Refuge was established taking into consideration any potential impacts that the project might have on wildlife habitat (603 FW 2). If your project complies with NEPA, NHPA, and CD the project will then be submitted for an appraisal request, by the Service, as administered through the Appraisal and Valuation Services Office (AVSO). AVSO will complete a statement of work and contracting package that will be sent to the applicant to forward on to an appraiser of their choosing (USPAP certified and AVSO vetted/or to become vetted). The cost of the appraiser and appraisal is at the expense of the applicant. The fair market value determined by the appraisal will be owed to the Service for the use and occupancy of Service land. Other fees are charged for processing the ROW permit and include an application fee and also a monitoring fee during/following the project construction. Application and monitoring fees may be waived for government entities. All entities are required to pay the occupancy and use fee as determined by appraisal.

When the above steps have been completed, the ROW Permit will be sent to the applicant for review and signature. When the Service has received the signed permit it will then be submitted to our Regional Director for their approval. The permit will be issued to the applicant when all fees are paid.

The entire ROW permit process averages 2-3 years for completion. This is a brief synopsis of the ROW permit process. Please contact Kristina Hanson, [kristina\\_hanson@fws.gov](mailto:kristina_hanson@fws.gov) or 701-355-8518 for further details.

**\*\*ROW PERMITS WILL NOT BE ISSUED UNTIL APPROVAL BY THE USFWS REGIONAL DIRECTOR\*\***

### Minimum Steps Required for ROW Permitting:

SF-299 Application

NEPA (Sec. 7)

Cultural (Sec. 106)

Compatibility Determination (603 FW 2)

Appraisal

Regional Director Approval



**APPLICATION FOR TRANSPORTATION, UTILITY SYSTEMS, TELECOMMUNICATIONS AND FACILITIES  
ON FEDERAL LANDS AND PROPERTY**

FORM APPROVED  
OMB Control Number: 0596-0249  
Expiration Date: 2/28/2023

## FOR AGENCY USE ONLY

NOTE: Before completing and filing the application for an authorization (easement, right-of-way, lease, license or permit), the applicant should completely review this package, including instructions, and schedule a pre-application meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the pre-application meeting.

Application Number

Date Filed

1. Name and address of applicant

2. Name and address of authorized agent if different from item 1

3. Applicant telephone number and email:

Authorized agent telephone number and email:

4. As applicant are you? *(check one)*

- a. ☐ Individual  
b. ☐ Corporation\*  
c. ☐ Partnership/Association\*  
d. ☐ State Government/State Agency  
e. ☐ Local Government  
f. ☐ Federal Agency

\* If checked, complete supplemental page

5. Specify what application is for: *(check one)*

- a. ☐ New authorization  
b. ☐ Renewing existing authorization number  
c. ☐ Amend existing authorization number  
d. ☐ Assign existing authorization number  
e. ☐ Existing use for which no authorization has been received \*  
f. ☐ Other\*

\* If checked, provide details under item 7

6. If an individual, or partnership, are you a citizen(s) of the United States? ☐ Yes ☐ No

7. Project description *(describe in detail)*: (a) Type of use or occupancy, (e.g., canal, pipeline, road, telecommunications); (b) related structures and facilities; (c) physical specifications *(Length, width, grading, etc.)*; (d) term of days/years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for activity/construction *(Attach additional sheets, if additional space is needed.)*

8. Attach a map covering area and show location of project proposal.

9. State or Local government approval: ☐ Attached ☐ Applied for ☐ Not Required10. Nonrefundable application fee: ☐ Attached ☐ Not required ☐ To be determined by agency11. Does project cross international boundary or affect international waterways? ☐ Yes ☐ No *(if "yes," indicate on map)*

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

13a. Describe other alternative locations considered.

b. Why were these alternatives not selected?

c. Give explanation as to why it is necessary to use or occupy Federal assets (lands or buildings).

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability; and, (g) historic or archaeological resources or properties.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plant life, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

19. State whether any hazardous material, as defined in this paragraph, would be used, produced, transported or stored on or in a federal building or federal lands or would be used in connection with the proposed use or occupancy. "Hazardous material" shall mean (a) any hazardous substance under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. § 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws. The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include (or in the case of approval provided after this permit is issued, shall be amended to include) specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

20. Name all the Federal Department(s)/Agency(ies) where this application is being filed.

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant	Date

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

GENERAL INFORMATION  
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation utility systems telecommunication installations facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Wired and wireless systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture  
Regional Forester, Forest Service (USFS)  
P.O. Box 21628  
Juneau, Alaska 99802-1628  
Telephone: (907) 586-7847  
(or a local Forest Service Office)

Department of the Interior  
Bureau of Indian Affairs (BIA)  
Alaska Regional Office  
709 West 9th Street  
Juneau, Alaska 99802  
Telephone: (907) 586-7177

Department of the Interior  
Alaska State Office  
Bureau of Land Management  
222 West 7th Avenue #13  
Anchorage, Alaska 99513  
Public Room: 907-271-5960  
FAX: 907-271-3684  
(or a local BLM Office)

U.S. Fish & Wildlife Service (FWS)  
Office of the Regional Director  
1011 East Tudor Road  
Anchorage, Alaska 99503  
Telephone: (907) 786-3440

National Park Service (NPS)  
Alaska Regional Office  
240 West 5th Avenue  
Anchorage, Alaska 99501  
Telephone: (907) 644-3510

Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Officer, P.O. Box 120, 1675 C Street, Anchorage, Alaska 99513.

Department of Transportation  
Federal Aviation Administration  
Alaska Region AAL-4, 222 West 7th Ave., Box 14  
Anchorage, Alaska 99513-7587  
Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation, utility systems, telecommunication installations and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS  
(Items not listed are self-explanatory)

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate locations in as much detail as possible, discussing why certain locations were rejected and why it is necessary to use Federal assets will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate locations as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information with as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

### EFFECT OF NOT PROVIDING INFORMATION

Disclosure of the information is voluntary. If all the information is not provided, the proposal or application may be rejected.

### DATA COLLECTION STATEMENT

The Federal agencies collect this information from proponents and applicants requesting a right-of-way, permit, license, lease, or certification for use of Federal assets. The Federal agencies use this information to evaluate a proponent's or applicant's proposal to use Federal assets.

### BURDEN STATEMENT

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0249. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The authority to collect this information is derived from 47 U.S.C. 1455(c)(3) and 16 U.S.C. 3210.

### USDA NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

**From:** [Scheidecker, Kevin J.](#)  
**To:** [Freske, Bruce](#)  
**Cc:** [Kerr, Tom](#); [Adams, Krista D](#); [Hanson, Kristina](#); [Kraetsch, Ashley M](#); [Powers, Neil](#); [Budd, Michael](#); [Klavetter, Mead](#); [Humburg, Joshua](#); [Weiers, Jason](#); [Brusven, Christina](#); [Hanley, Jennifer](#)  
**Subject:** BSSA Transmission Project  
**Date:** Tuesday, August 20, 2024 2:01:24 PM  
**Attachments:** [Outlook-504sdld3.png](#)  
[BSSA\\_Route\\_Segments\\_MN\\_20240815.zip](#)

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**CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Dear Bruce,

As you are aware, we are proposing to construct a new transmission line, the Big Stone South to Alexandria 345 kV Transmission Line, between Big Stone, South Dakota and Alexandria, Minnesota in order to provide additional transmission capacity, to mitigate current capacity issues, and to improve electric system reliability throughout the region as more renewable energy resources are added to the electric system in and around the region. We have initiated the planning and permitting processes with relevant state and federal agencies, including contacting potentially affected U.S. Fish and Wildlife Service (“Service”) units.

Attached to this email are shapefiles of the currently proposed route options in Minnesota. In order to assist our planning and minimize any potential conflicts with Service interests, we request that you provide us with copies of any Service-held easements or other agreements encumbering tracts (collectively, “easements”) that are crossed by any of the proposed routes. This request is made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, et seq., as amended, as implemented in 43 C.F.R. Part 2.

Please let us know if you prefer that we log a request on the Department of Interior Freedom of Information Act Public Access Link (“PAL”) to accompany this request to your office.

We appreciate your assistance with this request. Please feel free to contact us with any questions or clarifications.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

**From:** [Freske, Bruce](#)  
**To:** [Scheidecker, Kevin J.](#)  
**Cc:** [Kerr, Tom](#); [Adams, Krista D](#); [Hanson, Kristina](#); [Kraetsch, Ashley M](#); [Powers, Neil](#); [Budd, Michael](#); [Klavetter, Mead](#); [Humburg, Joshua](#); [Weiers, Jason](#); [Brusven, Christina](#); [Hanley, Jennifer](#)  
**Subject:** Re: [EXTERNAL] BSSA Transmission Project  
**Date:** Wednesday, August 21, 2024 11:39:35 AM  
**Attachments:** [Outlook-504sdld3.png](#)  
[Easement Info for 8-20-2024 Route.zip](#)

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**CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Kevin:

Attached are the easement documents and maps for all of the easements that appear to be along the route segments, except in Douglas County, which will be provided later by Neil Powers. Let me know if there are additional easements along the route that you also want information for. There are two Waterfowl Production Areas with route segments across them. I didn't send any information for those areas but can do so if you let me know what kind of information you need.

Finally, can you send me an example of an easement document that you would use for crossing Fish and Wildlife Service easement lands? Thank you for your time.

Bruce Freske  
District Manager, Morris Wetland Management District  
U.S. Fish and Wildlife Service  
43875 230th Street, Morris, MN 56267  
Office: (320) 460-1151  
Mobile: (320) 287-0369

---

**From:** Scheidecker, Kevin J. <kscheidecker@otpc.com>  
**Sent:** Tuesday, August 20, 2024 12:59 PM  
**To:** Freske, Bruce <bruce\_freske@fws.gov>  
**Cc:** Kerr, Tom <tom\_kerr@fws.gov>; Adams, Krista D <krista\_adams@fws.gov>; Hanson, Kristina <kristina\_hanson@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Powers, Neil <neil\_powers@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Klavetter, Mead <Mead\_Klavetter@fws.gov>; Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Brusven, Christina <CBrusven@fredlaw.com>; Hanley, Jennifer <jennifer.hanley@hdrinc.com>  
**Subject:** [EXTERNAL] BSSA Transmission Project

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Dear Bruce,

As you are aware, we are proposing to construct a new transmission line, the Big Stone South to Alexandria 345 kV Transmission Line, between Big Stone, South Dakota and Alexandria, Minnesota in order to provide additional transmission capacity, to mitigate current capacity issues, and to improve electric system reliability throughout the region as more renewable energy resources are added to the electric system in and around the region. We have initiated the planning and permitting processes with relevant state and federal agencies, including contacting potentially affected U.S. Fish and Wildlife Service (“Service”) units.

Attached to this email are shapefiles of the currently proposed route options in Minnesota. In order to assist our planning and minimize any potential conflicts with Service interests, we request that you provide us with copies of any Service-held easements or other agreements encumbering tracts (collectively, “easements”) that are crossed by any of the proposed routes. This request is made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, et seq., as amended, as implemented in 43 C.F.R. Part 2.

Please let us know if you prefer that we log a request on the Department of Interior Freedom of Information Act Public Access Link (“PAL”) to accompany this request to your office.

We appreciate your assistance with this request. Please feel free to contact us with any questions or clarifications.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

**From:** [Scheidecker, Kevin J.](#)  
**To:** [Freske, Bruce](#)  
**Cc:** [Kerr, Tom](#); [Adams, Krista D](#); [Hanson, Kristina](#); [Kraetsch, Ashley M](#); [Powers, Neil](#); [Budd, Michael](#); [Klavetter, Mead](#); [Humburg, Joshua](#); [Weiers, Jason](#); [Brian Zavesky](#); [Brusven, Christina](#); [Hanley, Jennifer](#); [Vinson, George H.](#); [Laber, Shauna I.](#); [Mahlberg, Patrick](#)  
**Subject:** BSSA Draft ROW Easement Document  
**Date:** Thursday, August 22, 2024 9:02:23 AM  
**Attachments:** [Outlook-n3fhookj.png](#)  
[Form MN-3A - Template Electric Transmission Easement \(STANDARD APPROACH\).doc](#)

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**CAUTION: [EXTERNAL]** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bruce,

Attached is the draft BSSA MN easement document approved for the project by the owners. It is in preliminary form but is a fairly standard transmission easement. Please let us know if you have any questions or comments.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)



---

The space above this line is reserved for recording purposes.

**ELECTRIC TRANSMISSION EASEMENT  
(MINNESOTA)**

The undersigned, \_\_\_\_\_, *[select one: husband and wife / an unmarried person / other entity (describe entity and state of organization, if applicable)]*, and successors and assigns (whether one or more, collectively hereinafter, "Grantor"), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto Western Minnesota Municipal Power Agency, a municipal corporation and political subdivision of the State of Minnesota, and Otter Tail Power Company, a Minnesota corporation, as tenants in common, and their respective successors and assigns ("Grantee"), a perpetual and irrevocable easement (the "Easement") to construct, reconstruct, relocate, modify, operate, patrol, inspect, repair, upgrade, maintain and/or remove, in whole or in part, electric transmission and/or distribution lines, consisting of one or more circuits, communication lines, poles, towers, structures, crossarms, foundations, wires, anchors, cables, guys, supports, fiber optics, communication equipment and other appurtenances related to the transmission and/or distribution of electrical energy and/or the transmission and distribution of communications data and information of any type whatsoever (collectively, the "Facilities") through, over, under and across certain lands situated in \_\_\_\_\_ County, Minnesota, more specifically described in [insert description] ("Grantor's Property"). This Easement shall be limited to that certain part of Grantor's Property described as the "Easement Area" on the attached Exhibit A.

Grantor hereby grants to Grantee an easement to enter upon Grantor's Property to conduct surveys, investigations, tests, borings, and studies related to Grantee's potential or actual use of the Grantor's Property, and to locate the Facilities, and an easement for reasonable access through, over, under and across Grantor's Property to the Easement Area. Grantee shall have the right to occupy and use Grantor's Property adjoining the Easement Area during the surveys, design, construction, reconstruction, relocation, modification, operation, patrol, inspection, repair, upgrade, maintenance and/or removal of the Facilities.

Subject to Grantee's rights and Grantor's obligations herein, Grantor reserves the right to cultivate, use and occupy the surface of the Easement Area in a manner that is not inconsistent with Grantee's rights granted herein. Grantor shall not perform any act, or cause or permit acts to be done by others, that will interfere with or endanger the Facilities or Grantee's exercise of its rights hereunder. Without limiting the foregoing, Grantor shall not erect or place on the Easement Area any structures, buildings, trees or other objects or improvements, permanent or temporary, or cause or permit any others to do so, without Grantee's prior written approval. Grantor agrees to not materially alter the existing ground elevations in a manner that could interfere with the Facilities or Grantee's rights hereunder or that would result in ground or other clearance of less than the minimum requirements specified by the National Electrical Safety Code or any other applicable laws or regulations or other codes or policies. Grantor, its agents, or assigns must submit plans of improvements or other installations within the Easement Area for review and written determination

of compatibility by Grantee prior to installation. Grantee may approve such improvements or other installations, with or without conditions, or may deny the same, in the reasonable exercise of its sole discretion. Notwithstanding the foregoing, Grantor may install and maintain typical fencing within the Easement Area that does not interfere with the safe operation of the Facilities; provided, that Grantor shall grant to Grantee access through any locked gates so that Grantee may have adequate access to the Easement Area.

Grantor agrees to execute and deliver to Grantee any additional documents requested by Grantee to amend and/or correct the legal description of the Easement Area to conform to the right of way actually occupied by the Facilities or otherwise as requested by Grantee to accomplish the purposes of this Easement.

Grantor covenants that Grantor is the owner of Grantor's Property and has the right to convey the easements set forth herein. The Facilities installed and placed by or on behalf of Grantee on Grantor's Property shall remain the property of Grantee. Grantor acknowledges that agreed upon compensation represents payment in full for Grantee's exercise and/or future exercise of Grantee's rights hereunder and that Grantor shall have no further right to compensation except as to payment for actual damages as expressly provided for below.

Grantee shall have the right to remove from the Easement Area, in whole or in part, and in any manner, any structures, buildings or other objects or improvements, and any trees, shrubbery, brush or other vegetation, that, in Grantee's sole opinion, could, at any time, interfere with, impair or otherwise endanger the structural or electrical integrity of the Facilities or otherwise interfere with Grantee's rights hereunder. Grantee shall also have the right to trim, remove, or otherwise control any trees, shrubbery, brush, or other vegetation that are located adjacent to the Easement Area that may, in Grantee's opinion, at any time interfere with, impair, or otherwise endanger the Facilities.

Grantee may exercise all or any of its rights hereunder at any time, and Grantee's non-use or limited use of any such rights shall not constitute forfeiture of or otherwise limit any such rights. Grantee may assign and/or apportion and/or otherwise enter into agreements with respect to its rights hereunder, in whole or in part, in its sole discretion.

Grantee agrees to pay Grantor for this Easement prior to the construction of Facilities on the Easement Area.

Grantee agrees to pay a reasonable sum for actual damages directly caused to Grantor's crops, fences, roads, fields, lawns or other improvements by the construction, reconstruction, relocation, modification, operation, patrol, inspection, repair, upgrade, maintenance and/or removal of the Facilities, excepting and excluding damages restored by Grantee, and also excepting and excluding trees, shrubbery, brush or other vegetation within the Easement Area and also excepting any improvements or other installations placed within the Easement Area without Grantee's advance written determination of compatibility.

The easements and covenants contained in this instrument shall run with and against the described real property. It is mutually understood and agreed that this instrument, and any payment or damage calculation sheets provided to the Grantor and any other documents signed contemporaneously with this Easement, cover all the agreements and stipulations between the Grantor and Grantee and there are not any other representations or statements, verbal or written, that have been made modifying, adding to, or changing the terms of this Easement, and that the terms herein shall not be abrogated, modified, rescinded, or amended, in whole or in part, without the written consent of Grantor and Grantee, in writing and executed by each of them. This instrument shall be governed by the laws of the state in which the property is located.

This Easement is effective as of the date last signed below. Grantee may exercise all or any of its rights in this Easement at any time, and Grantee's non-use or limited use of any such rights shall not constitute forfeiture of or otherwise limit any such rights.

This Easement may be signed in counterparts and all such counterparts shall be deemed as originals and binding upon each party executing any counterpart and upon its respective heirs, devisees, representatives, successors, and assigns. This Easement and exhibits may be recorded in the real estate records of the county or counties where Grantor's Property lies.

If any provision of this Easement is invalid under any applicable statute or is declared invalid by a court of competent jurisdiction, then that provision shall be deemed to be severed from this Easement and the remainder of this Easement shall continue in full force and effect and shall be construed to the furthest extent legally possible to accomplish the purposes set forth in this Easement.

[SIGNATURE PAGE(S) FOLLOW(S)]

**GRANTOR**

\_\_\_\_\_  
\_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 202\_, by  
\_\_\_\_\_.

\_\_\_\_\_ (Notary)

Drafted By: Otter Tail Power Company  
Land Rights (SL)  
215 S Cascade Street  
Fergus Falls, MN 56537

**EXHIBIT A TO ELECTRIC TRANSMISSION EASEMENT**

**Description and Survey Sketch of Easement Area(s)**

Project Parcel No.: \_\_\_\_\_

**From:** Adams, Krista D <krista\_adams@fws.gov>

**Sent:** Monday, August 26, 2024 1:15 PM

**To:** Scheidecker, Kevin J. <kscheidecker@otpc.com>; Freske, Bruce <bruce\_freske@fws.gov> **Cc:** Kerr, Tom <tom\_kerr@fws.gov>; Hanson, Kristina <kristina\_hanson@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Powers, Neil <neil\_powers@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Klavetter, Mead <Mead\_Klavetter@fws.gov>; Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Brusven, Christina <CBrusven@fredlaw.com>; Hanley, Jennifer <jennifer.hanley@hdrinc.com>; Vinson, George H. <gvinson@otpc.com>; Laber, Shauna I. <slaber@otpc.com>; Mahlberg, Patrick <PMahlberg@fredlaw.com>

**Subject:** Re: [EXTERNAL] BSSA Draft ROW Easement Document

\*\*\*This is an **EXTERNAL** email. DO NOT open attachments or click links in suspicious

Hi Kevin,

FWS has a permit document that we use when issuing permits. I don't believe we can sign the easement document you provided. We have to use the FWS form.

Thanks,

Krista

Krista Adams (*she/her/hers*)  
Deputy Realty Officer  
U.S. Fish and Wildlife Service  
5600 American Blvd. W, Suite 990  
Bloomington, MN 55437  
612-289-0451 cell  
krista\_adams@fws.gov

---

**From:** Scheidecker, Kevin J. <kscheidecker@otpc.com>

**Sent:** Thursday, August 22, 2024 7:59 AM

**To:** Freske, Bruce <bruce\_freske@fws.gov>

**Cc:** Kerr, Tom <tom\_kerr@fws.gov>; Adams, Krista D <krista\_adams@fws.gov>; Hanson, Kristina <kristina\_hanson@fws.gov>; Kraetsch, Ashley M <ashley\_kraetsch@fws.gov>; Powers, Neil <neil\_powers@fws.gov>; Budd, Michael <michael\_budd@fws.gov>; Klavetter, Mead <Mead\_Klavetter@fws.gov>; Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Brusven, Christina <CBrusven@fredlaw.com>; Hanley, Jennifer <jennifer.hanley@hdrinc.com>; Vinson, George H. <gvinson@otpc.com>; Laber, Shauna I. <slaber@otpc.com>; Mahlberg, Patrick <PMahlberg@fredlaw.com>

**Subject:** [EXTERNAL] BSSA Draft ROW Easement Document

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Bruce,

Attached is the draft BSSA MN easement document approved for the project by the owners. It is in preliminary form but is a fairly standard transmission easement. Please let us know if you have any questions or comments.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)



From: [Scheidecker, Kevin J.](#)  
To: [Adams, Krista D](#)  
Cc: [Kerr, Tom](#); [Hanson, Kristina](#); [Kraetsch, Ashley M](#); [Powers, Neil](#); [Budd, Michael](#); [Klavetter, Mead](#); [Humburg, Joshua](#); [Weiers, Jason](#); [Brian Zavesky](#); [Freske, Bruce](#); [Brusven, Christina](#); [Hanley, Jennifer](#); [Vinson, George H.](#); [Laber, Shauna I.](#); [Mahlberg, Patrick](#)  
Subject: Re: [EXTERNAL] BSSA Draft ROW Easement Document  
Date: Tuesday, August 27, 2024 7:37:45 AM  
Attachments: [Outlook-n3fhookj.png](#)  
[Outlook-mz1awkyx.png](#)

**CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Krista,

Thank you for the information. I've included a link here to a sample of the Service form that is on your website: [Sample Easement | U.S. Fish & Wildlife Service \(fws.gov\)](#) Is this the most up-to-date form and what we would expect to receive when requesting a ROW permit?

The BSSA Project Team is likely to request a meeting with USFWS staff in the near future to further discuss the ROW permit process. At that time, we will include additional folks from our project team that will be working on land rights and permitting.

We appreciate your time as we work through this process.



Kevin Scheidecker  
Senior Environmental Specialist  
Environmental Services  
Direct: 218-739-8773  
[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

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# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Minnesota-Wisconsin Ecological Services Field Office  
3815 American Blvd East  
Bloomington, MN 55425-1659  
Phone: (952) 858-0793



In Reply Refer To:

08/28/2024 16:42:56 UTC

Project Code: 2024-0136575

Project Name: OTP Big Stone South to Alexandria (BSSA)

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](#).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

**Note:** IPaC has provided all available attachments because this project is in multiple field office jurisdictions.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

## OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Minnesota-Wisconsin Ecological Services Field Office**

3815 American Blvd East  
Bloomington, MN 55425-1659  
(952) 858-0793

This project's location is within the jurisdiction of multiple offices. However, only one species list document will be provided for all offices. The species and critical habitats in this document reflect the aggregation of those that fall in each of the affiliated office's jurisdiction. Other offices affiliated with the project:

**South Dakota Ecological Services Field Office**

420 South Garfield Avenue, Suite 400  
Pierre, SD 57501-5408  
(605) 224-8693

## PROJECT SUMMARY

Project Code: 2024-0136575

Project Name: OTP Big Stone South to Alexandria (BSSA)

Project Type: Operations and Maintenance - Electric Power Transmission and Distribution Facilities

Project Description: 345 kV transmission line in southwest Minnesota

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.5570029,-95.7785111712059,14z>



Counties: Minnesota and South Dakota

## ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.



## MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered

## BIRDS

NAME	STATUS
Rufa Red Knot <i>Calidris canutus rufa</i> There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened

## INSECTS

NAME	STATUS
Dakota Skipper <i>Hesperia dacotae</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/1028">https://ecos.fws.gov/ecp/species/1028</a>	Threatened
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate
Western Regal Fritillary <i>Argynnis idalia occidentalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/12017">https://ecos.fws.gov/ecp/species/12017</a>	Proposed Threatened

## CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

## USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

The following FWS National Wildlife Refuge Lands and Fish Hatcheries lie fully or partially within your project area:

FACILITY NAME	ACRES
BIG STONE NATIONAL WILDLIFE REFUGE <a href="https://www.fws.gov/our-facilities?keywords=%5C%22BIG+STONE+NATIONAL+WILDLIFE+REFUGE%5C%22">https://www.fws.gov/our-facilities?keywords=%5C%22BIG+STONE+NATIONAL+WILDLIFE+REFUGE%5C%22</a>	11,656.112
DOUGLAS COUNTY WATERFOWL PRODUCTION AREA OF MN <a href="https://www.fws.gov/our-facilities?keywords=%5C%22DOUGLAS+COUNTY+WATERFOWL+PRODUCTION+AREA+OF+MN%5C%22">https://www.fws.gov/our-facilities?keywords=%5C%22DOUGLAS+COUNTY+WATERFOWL+PRODUCTION+AREA+OF+MN%5C%22</a>	29,840.354
SWIFT COUNTY WATERFOWL PRODUCTION AREA <a href="https://www.fws.gov/our-facilities?keywords=%5C%22SWIFT+COUNTY+WATERFOWL+PRODUCTION+AREA%5C%22">https://www.fws.gov/our-facilities?keywords=%5C%22SWIFT+COUNTY+WATERFOWL+PRODUCTION+AREA%5C%22</a>	77,389.598

## BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act<sup>1</sup> and the Migratory Bird Treaty Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

- 
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
  2. The [Migratory Birds Treaty Act](#) of 1918.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Dec 1 to Aug 31

NAME	BREEDING SEASON
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds Jan 1 to Aug 31

## PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

## Breeding Season (■)

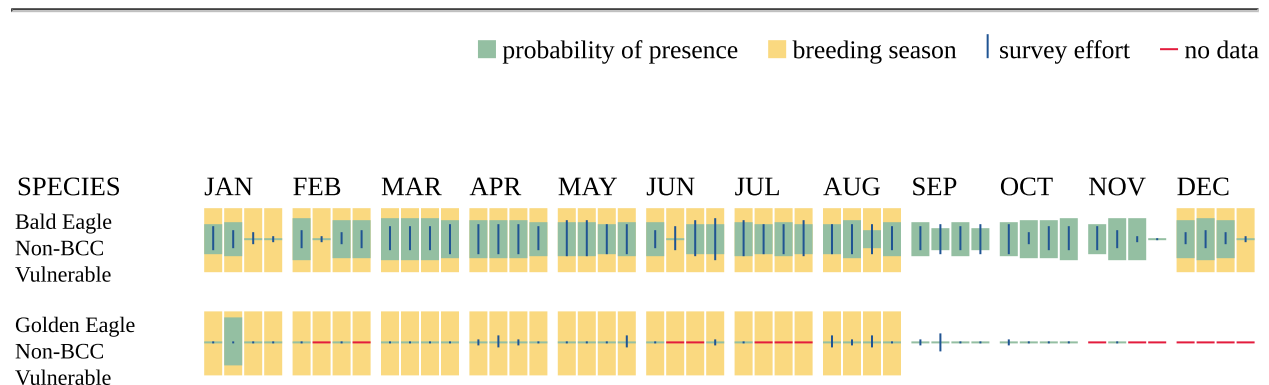
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

**Survey Effort (|)**

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

**No Data (—)**

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>

- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

## MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/10561">https://ecos.fws.gov/ecp/species/10561</a>	Breeds elsewhere
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Dec 1 to Aug 31
Black Tern <i>Chlidonias niger surinamenis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3093">https://ecos.fws.gov/ecp/species/3093</a>	Breeds May 15 to Aug 20

NAME	BREEDING SEASON
<b>Black-billed Cuckoo</b> <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>	Breeds May 15 to Oct 10
<b>Bobolink</b> <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9454">https://ecos.fws.gov/ecp/species/9454</a>	Breeds May 20 to Jul 31
<b>Canada Warbler</b> <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9643">https://ecos.fws.gov/ecp/species/9643</a>	Breeds May 20 to Aug 10
<b>Chimney Swift</b> <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9406">https://ecos.fws.gov/ecp/species/9406</a>	Breeds Mar 15 to Aug 25
<b>Eastern Whip-poor-will</b> <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/10678">https://ecos.fws.gov/ecp/species/10678</a>	Breeds May 1 to Aug 20
<b>Franklin's Gull</b> <i>Leucophaeus pipixcan</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/10567">https://ecos.fws.gov/ecp/species/10567</a>	Breeds May 1 to Jul 31
<b>Golden Eagle</b> <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds Jan 1 to Aug 31
<b>Golden-winged Warbler</b> <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/8745">https://ecos.fws.gov/ecp/species/8745</a>	Breeds May 1 to Jul 20
<b>Grasshopper Sparrow</b> <i>Ammodramus savannarum perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/8329">https://ecos.fws.gov/ecp/species/8329</a>	Breeds Jun 1 to Aug 20
<b>Henslow's Sparrow</b> <i>Centronyx henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3941">https://ecos.fws.gov/ecp/species/3941</a>	Breeds May 1 to Aug 31

NAME	BREEDING SEASON
<b>Hudsonian Godwit <i>Limosa haemastica</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9482">https://ecos.fws.gov/ecp/species/9482</a>	Breeds elsewhere
<b>Le Conte's Sparrow <i>Ammospiza leconteii</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9469">https://ecos.fws.gov/ecp/species/9469</a>	Breeds Jun 1 to Aug 15
<b>Le Conte's Sparrow <i>Ammospiza leconteii</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9469">https://ecos.fws.gov/ecp/species/9469</a>	Breeds Jun 1 to Aug 15
<b>Le Conte's Sparrow <i>Ammospiza leconteii</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9469">https://ecos.fws.gov/ecp/species/9469</a>	Breeds Jun 1 to Aug 15
<b>Lesser Yellowlegs <i>Tringa flavipes</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere
<b>Marbled Godwit <i>Limosa fedoa</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9481">https://ecos.fws.gov/ecp/species/9481</a>	Breeds May 1 to Jul 31
<b>Northern Harrier <i>Circus hudsonius</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/8350">https://ecos.fws.gov/ecp/species/8350</a>	Breeds Apr 1 to Sep 15
<b>Pectoral Sandpiper <i>Calidris melanotos</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9561">https://ecos.fws.gov/ecp/species/9561</a>	Breeds elsewhere
<b>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9398">https://ecos.fws.gov/ecp/species/9398</a>	Breeds May 10 to Sep 10
<b>Ruddy Turnstone <i>Arenaria interpres morinella</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/10633">https://ecos.fws.gov/ecp/species/10633</a>	Breeds elsewhere

NAME	BREEDING SEASON
<b>Rusty Blackbird</b> <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9478">https://ecos.fws.gov/ecp/species/9478</a>	Breeds elsewhere
<b>Semipalmated Sandpiper</b> <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9603">https://ecos.fws.gov/ecp/species/9603</a>	Breeds elsewhere
<b>Short-billed Dowitcher</b> <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9480">https://ecos.fws.gov/ecp/species/9480</a>	Breeds elsewhere
<b>Upland Sandpiper</b> <i>Bartramia longicauda</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9294">https://ecos.fws.gov/ecp/species/9294</a>	Breeds May 1 to Aug 31
<b>Western Grebe</b> <i>aechmophorus occidentalis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/6743">https://ecos.fws.gov/ecp/species/6743</a>	Breeds Jun 1 to Aug 31
<b>Willet</b> <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/10669">https://ecos.fws.gov/ecp/species/10669</a>	Breeds Apr 20 to Aug 5

## PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

### Breeding Season (■)

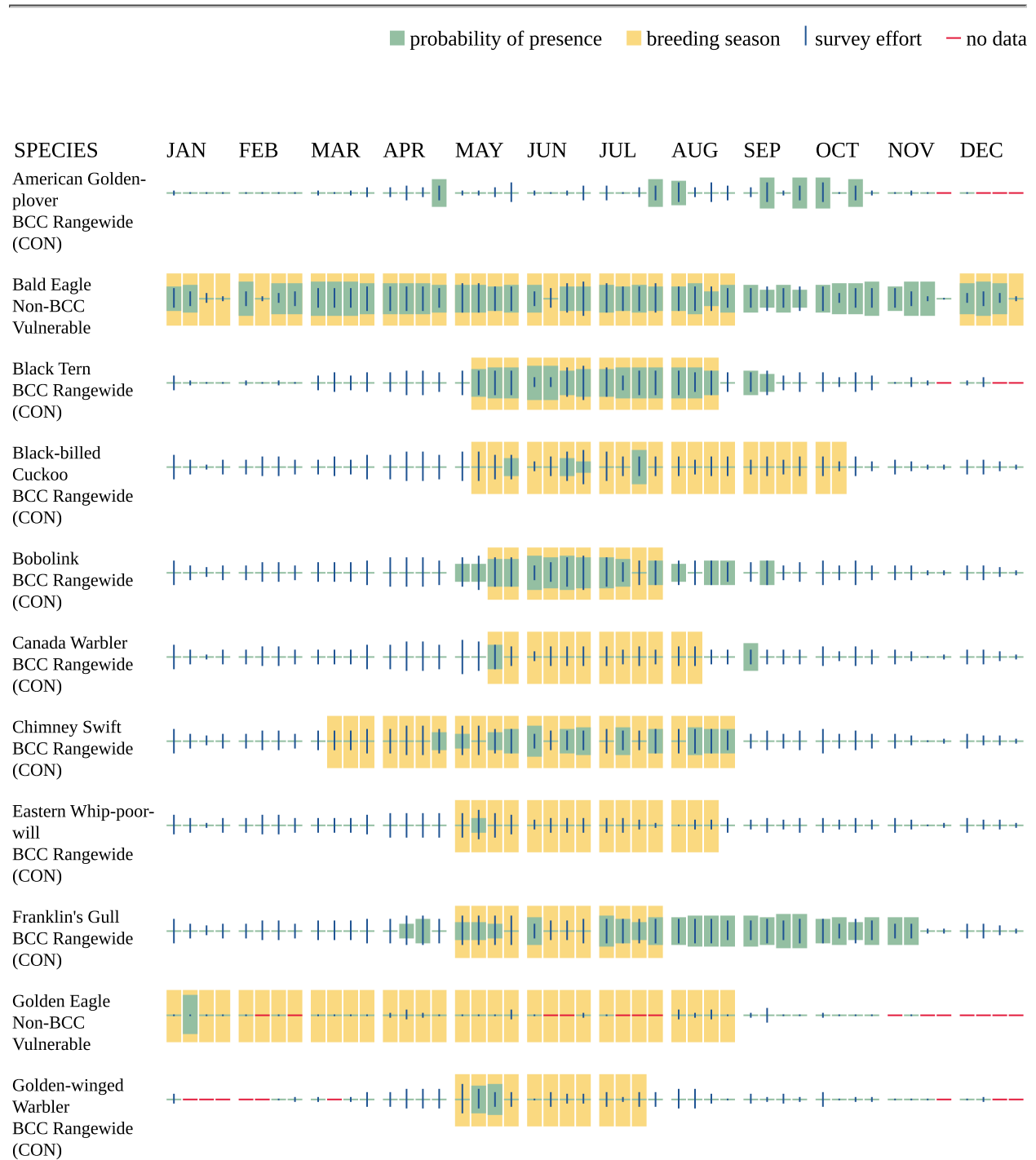
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

### Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

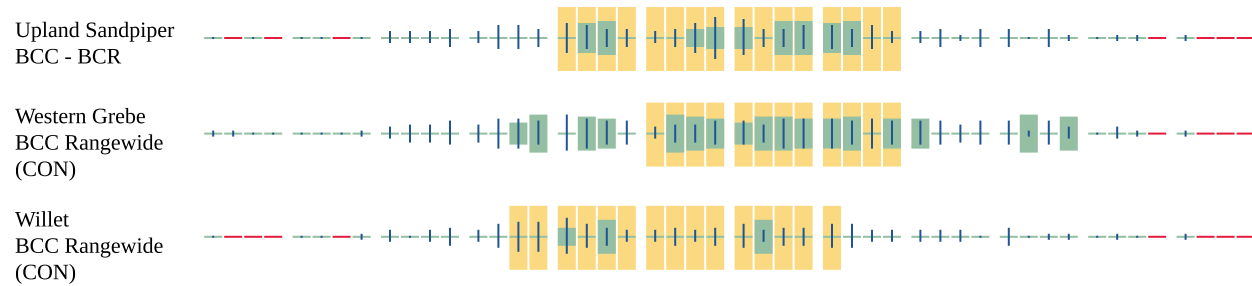
### No Data (—)

A week is marked as having no data if there were no survey events for that week.









Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

## WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

Due to your project's size, the list below may be incomplete, or the acreages reported may be inaccurate. For a full list, please contact the local U.S. Fish and Wildlife office or visit <https://www.fws.gov/wetlands/data/mapper.HTML>

### FRESHWATER EMERGENT WETLAND

- PEM1A
- PEM1Ah
- PEM1Ax
- PEM1Af
- PEM1B
- PEM1/UBF
- PEM1Ad

LAKE

- L2ABH
- L2UBH
- L1UBH

FRESHWATER POND

- PABH
- PABFx
- PABHh
- PABFh
- PABF

## IPAC USER CONTACT INFORMATION

Agency: Private Entity  
Name: Daniel Jones  
Address: Utica Avenue South #600  
City: St. Louis Park  
State: MN  
Zip: 55416  
Email: daniel.jones2@hdrinc.com  
Phone: 7635915394



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Assistant Regional Director-Ecological Services  
5600 American Blvd. West  
Bloomington, MN 55437-1458  
Phone: (612) 713-5350 Fax: (612) 713-5292



In Reply Refer To:

08/28/2024 16:47:19 UTC

Project code: 2024-0136575

Project Name: OTP Big Stone South to Alexandria (BSSA)

Federal Nexus: no

Federal Action Agency (if applicable): Minnesota Department of Commerce

**Subject:** Technical assistance for 'OTP Big Stone South to Alexandria (BSSA)'

Dear Daniel Jones:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on August 28, 2024, for 'OTP Big Stone South to Alexandria (BSSA)' (here forward, Project). This project has been assigned Project Code 2024-0136575 and all future correspondence should clearly reference this number. **Please carefully review this letter. Your Endangered Species Act (Act) requirements are not complete.**

### **Ensuring Accurate Determinations When Using IPaC**

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the Northern Long-eared Bat Rangewide Determination Key (Dkey), invalidates this letter. ***Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.***

### **Determination for the Northern Long-Eared Bat**

Based upon your IPaC submission and a standing analysis, your project is not reasonably certain to cause incidental take of the northern long-eared bat. Unless the Service advises you within 15 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

## Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination for the northern long-eared bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Dakota Skipper *Hesperia dacotae* Threatened
- Monarch Butterfly *Danaus plexippus* Candidate
- Rufa Red Knot *Calidris canutus rufa* Threatened
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species and/or critical habitat listed above. Note that if a new species is listed that may be affected by the identified action before it is complete, additional review is recommended to ensure compliance with the Endangered Species Act.

## Next Steps

Coordination with the Service is complete. This letter serves as technical assistance. All conservation measures should be implemented as proposed. Thank you for considering federally listed species during your project planning.

We are uncertain where the northern long-eared bat occurs on the landscape outside of known locations. Because of the steep declines in the species and vast amount of available and suitable forest habitat, the presence of suitable forest habitat alone is a far less reliable predictor of their presence. Based on the best available information, most suitable habitat is now expected to be unoccupied. During the interim period, while we are working on potential methods to address this uncertainty, we conclude take is not reasonably certain to occur in areas of suitable habitat where presence has not been documented.

If no changes occur with the Project or there are no updates on listed species, no further consultation/coordination for this project is required for the northern long-eared bat. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place before project implements any changes which are final or commits additional resources.

If you have any questions regarding this letter or need further assistance, please contact the Assistant Regional Director-Ecological Services and reference Project Code 2024-0136575 associated with this Project.

**Action Description**

You provided to IPaC the following name and description for the subject Action.

**1. Name**

OTP Big Stone South to Alexandria (BSSA)

**2. Description**

The following description was provided for the project 'OTP Big Stone South to Alexandria (BSSA)':

345 kV transmission line in southwest Minnesota

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@45.5570029,-95.7785111712059,14z>



## DETERMINATION KEY RESULT

Based on the answers provided, the proposed Action is consistent with a determination of “may affect, but not likely to adversely affect” for the Endangered northern long-eared bat (*Myotis septentrionalis*).

## QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

**Note:** Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. The action area does not overlap with an area for which U.S. Fish and Wildlife Service currently has data to support the presumption that the northern long-eared bat is present. Are you aware of other data that indicates that northern long-eared bats (NLEB) are likely to be present in the action area?

Bat occurrence data may include identification of NLEBs in hibernacula, capture of NLEBs, tracking of NLEBs to roost trees, or confirmed NLEB acoustic detections. Data on captures, roost tree use, and acoustic detections should post-date the year when white-nose syndrome was detected in the relevant state. With this question, we are looking for data that, for some reason, may have not yet been made available to U.S. Fish and Wildlife Service.

No

3. Does any component of the action involve construction or operation of wind turbines?

**Note:** For federal actions, answer ‘yes’ if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

4. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

No



## PROJECT QUESTIONNAIRE

**IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Daniel Jones  
Address: Utica Avenue South #600  
City: St. Louis Park  
State: MN  
Zip: 55416  
Email: daniel.jones2@hdrinc.com  
Phone: 7635915394

**LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Minnesota Department of Commerce

U.S. Environmental Protection Agency

DATE	TYPE	FROM	TO	SUBJECT
November 10, 2023	Letter	Applicants	U.S. Environmental Protection Agency (EPA)	Initial outreach for BSSA Project and request for comments

November 10, 2023

Kenneth Westlake, Chief  
U.S. Environmental Protection Agency  
77 West Jackson Blvd, Mailstop B-19J  
Chicago, IL 60604

**Re: Request for Input for the Proposed Big Stone South to Alexandria Transmission Line Project (BSSA)**

Dear Mr. Westlake,

Otter Tail Power Company (Otter Tail) and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency (Western Minnesota), are partnering to develop, construct, and co-own a new, approximately 100-mile, 345-kilovolt (kV) high voltage transmission line that will connect Otter Tail's existing Big Stone South 345-kV substation near Big Stone City, South Dakota to Western Minnesota's existing Alexandria 345-kV substation near Alexandria, Minnesota (referred to as the Project or BSSA). The Project is a segment of one of eighteen new transmission projects identified in the Upper Midwest by the Midcontinent Independent System Operator (MISO)<sup>1</sup> that is needed to ensure electric reliability, reduce transmission congestion, increase access to low-cost energy, and increase system resiliency to extreme weather events. The Project will be in Grant County, South Dakota and potentially in Big Stone, Lac qui Parle, Swift, Stevens, Pope, and Douglas Counties, Minnesota depending on the final route identified through the state permitting processes in Minnesota and South Dakota. Otter Tail and Western Minnesota were applicants to a Certificate of Need application that was filed with the Minnesota Public Utilities Commission (MN PUC) on September 29, 2023, and plan to submit a Route Permit application with the MN PUC in the fourth quarter of 2024 as well as a Facility Permit application with the South Dakota Public Utilities Commission in the second quarter of 2024. Depending on a variety of factors, construction of the Project is anticipated to start in 2027 and end in either 2030 or 2031.

Otter Tail and Western Minnesota started public engagement efforts in the second quarter of 2023 through a series of public meetings and has continued routing efforts since that time with a second round of public meetings recently occurring throughout the Project area over the past month. Otter Tail and Western Minnesota, with our consultants' help, have identified potential corridors as shown on the enclosed map. These corridors were based on: (1) an analysis of publicly available data; (2) stakeholder feedback and comments; (3) engineering and constructability best practices; (4) environmental considerations; and (5) regulatory rules and guidelines. These corridors are planning to be refined into a preferred route in which Otter Tail and Western Minnesota will seek to obtain a 150-foot-wide easement from landowners for the construction, operation, and maintenance of the proposed 345-kV transmission line.

We request your review of the corridors identified for the Project to help identify opportunities and constraints as we move towards defining a preferred route. We are particularly interested in any property located within or adjacent to the corridors which your agency may own or have an interest in. We would also appreciate being made aware of any proposed developments your agency may be contemplating within the corridors in addition to any information that might assist us in our siting analysis and studies. To help us identify potential concerns or opportunities in our on-going routing analysis, we request that you please provide us with any information pertaining to the Project by December 11, 2023. Verbal, written or email responses should be sent to:

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<sup>1</sup> See more information at [www.misoenergy.org](http://www.misoenergy.org).

HDR, Inc.  
Attn: Jennifer Hanley  
51 N Broadway, Suite 550  
Fargo, ND 58102  
[Jennifer.hanley@hdrinc.com](mailto:Jennifer.hanley@hdrinc.com)  
701-353-6139

Future opportunities for input will also be available. As the Project progresses, we are planning to have additional consultations with agencies, other jurisdictions, and landowners as we develop and refine a preferred route.

If you desire further information regarding the proposed Project, please contact me at 218-739-8311 or [jweiers@otpc.com](mailto:jweiers@otpc.com) or our lead environmental consultant, Jennifer Hanley of HDR, Inc., at 701-353-6139 or [jennifer.hanley@hdrinc.com](mailto:jennifer.hanley@hdrinc.com). In addition, further information about the Project can also be found on our website at [www.BigStoneSouthtoAlexandria.com](http://www.BigStoneSouthtoAlexandria.com).

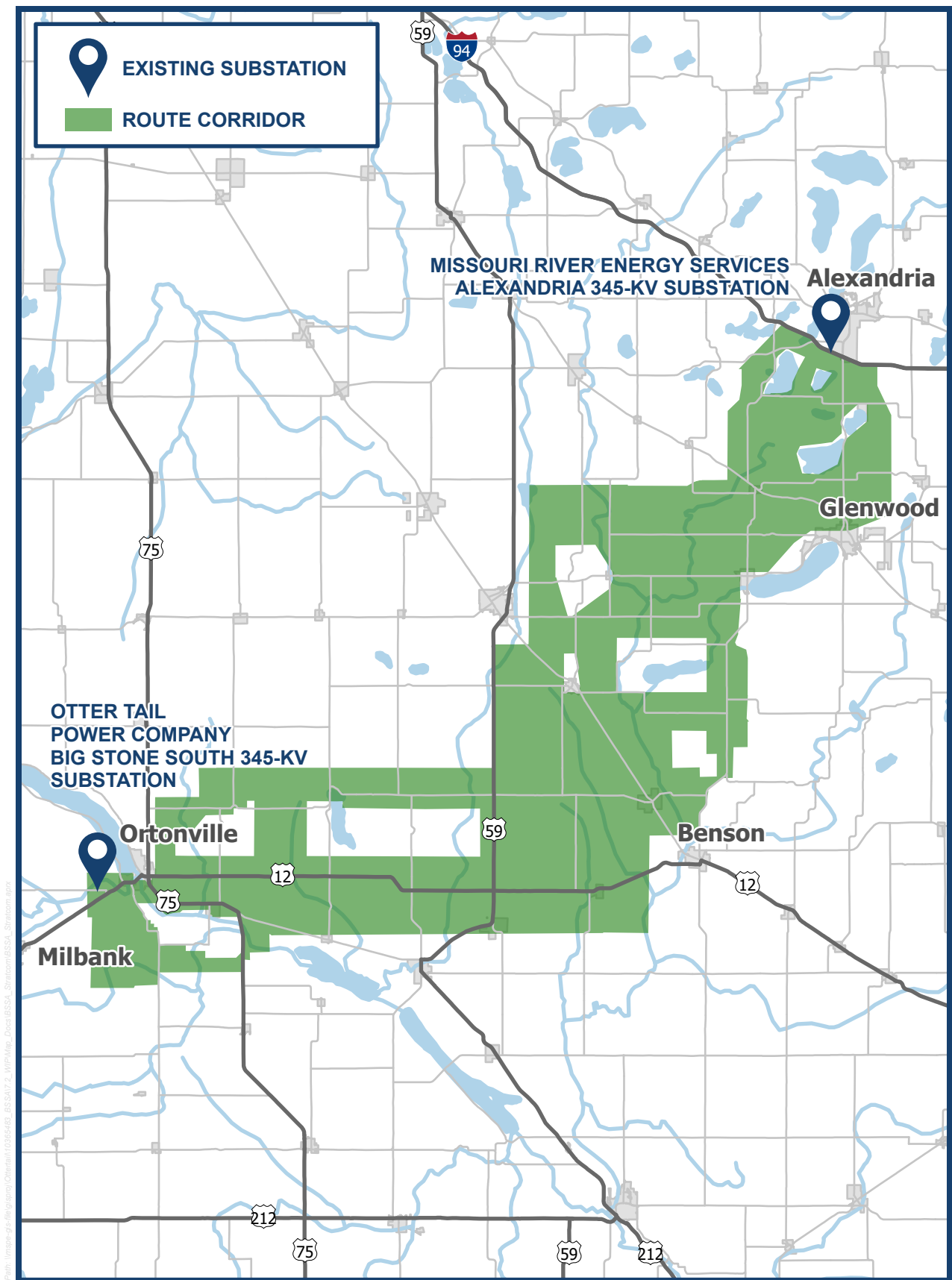
We appreciate and value your input in our on-going efforts to minimize effects to socioeconomics, avoid known culturally significant sites, protect natural resources, and utilize opportunities to parallel existing infrastructure corridors where feasible and look forward to your feedback and continued coordination.

Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map



▲ Route corridor is marked in green on the map above and subject to change.

## **State Agencies**



## Minnesota Association of Soil and Water Conservation Districts

DATE	TYPE	FROM	TO	SUBJECT
November 10, 2023	Letter	Applicants	Minnesota Association of Soil and Water Conservation Districts (SWCD)	Initial outreach for BSSA Project and request for comments

November 10, 2023

Leanne Buck, Executive Director  
Minnesota Association of Soil and Water Conservation Districts  
255 Kellogg Boulevard East, Ste 101  
St Paul, MN 55103

**Re: Request for Input for the Proposed Big Stone South to Alexandria Transmission Line Project (BSSA)**

Dear Executive Director Buck,

Otter Tail Power Company (Otter Tail) and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency (Western Minnesota), are partnering to develop, construct, and co-own a new, approximately 100-mile, 345-kilovolt (kV) high voltage transmission line that will connect Otter Tail's existing Big Stone South 345-kV substation near Big Stone City, South Dakota to Western Minnesota's existing Alexandria 345-kV substation near Alexandria, Minnesota (referred to as the Project or BSSA). The Project is a segment of one of eighteen new transmission projects identified in the Upper Midwest by the Midcontinent Independent System Operator (MISO)<sup>1</sup> that is needed to ensure electric reliability, reduce transmission congestion, increase access to low-cost energy, and increase system resiliency to extreme weather events. The Project will be in Grant County, South Dakota and potentially in Big Stone, Lac qui Parle, Swift, Stevens, Pope, and Douglas Counties, Minnesota depending on the final route identified through the state permitting processes in Minnesota and South Dakota. Otter Tail and Western Minnesota were applicants to a Certificate of Need application that was filed with the Minnesota Public Utilities Commission (MN PUC) on September 29, 2023, and plan to submit a Route Permit application with the MN PUC in the fourth quarter of 2024 as well as a Facility Permit application with the South Dakota Public Utilities Commission in the second quarter of 2024. Depending on a variety of factors, construction of the Project is anticipated to start in 2027 and end in either 2030 or 2031.

Otter Tail and Western Minnesota started public engagement efforts in the second quarter of 2023 through a series of public meetings and has continued routing efforts since that time with a second round of public meetings recently occurring throughout the Project area over the past month. Otter Tail and Western Minnesota, with our consultants' help, have identified potential corridors as shown on the enclosed map. These corridors were based on: (1) an analysis of publicly available data; (2) stakeholder feedback and comments; (3) engineering and constructability best practices; (4) environmental considerations; and (5) regulatory rules and guidelines. These corridors are planning to be refined into a preferred route in which Otter Tail and Western Minnesota will seek to obtain a 150-foot-wide easement from landowners for the construction, operation, and maintenance of the proposed 345-kV transmission line.

We request your review of the corridors identified for the Project to help identify opportunities and constraints as we move towards defining a preferred route. We are particularly interested in any property located within or adjacent to the corridors which your agency may own or have an interest in. We would also appreciate being made aware of any proposed developments your agency may be contemplating within the corridors in addition to any information that might assist us in our siting analysis and studies. To help us identify potential concerns or opportunities in our on-going routing analysis, we request that you please provide us with any information pertaining to the Project by December 11, 2023. Verbal, written or email responses should be sent to:

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<sup>1</sup> See more information at [www.misoenergy.org](http://www.misoenergy.org).

HDR, Inc.  
Attn: Jennifer Hanley  
51 N Broadway, Suite 550  
Fargo, ND 58102  
[Jennifer.hanley@hdrinc.com](mailto:Jennifer.hanley@hdrinc.com)  
701-353-6139

Future opportunities for input will also be available. As the Project progresses, we are planning to have additional consultations with agencies, other jurisdictions, and landowners as we develop and refine a preferred route.

If you desire further information regarding the proposed Project, please contact me at 218-739-8311 or [jweiers@otpc.com](mailto:jweiers@otpc.com) or our lead environmental consultant, Jennifer Hanley of HDR, Inc., at 701-353-6139 or [jennifer.hanley@hdrinc.com](mailto:jennifer.hanley@hdrinc.com). In addition, further information about the Project can also be found on our website at [www.BigStoneSouthtoAlexandria.com](http://www.BigStoneSouthtoAlexandria.com).

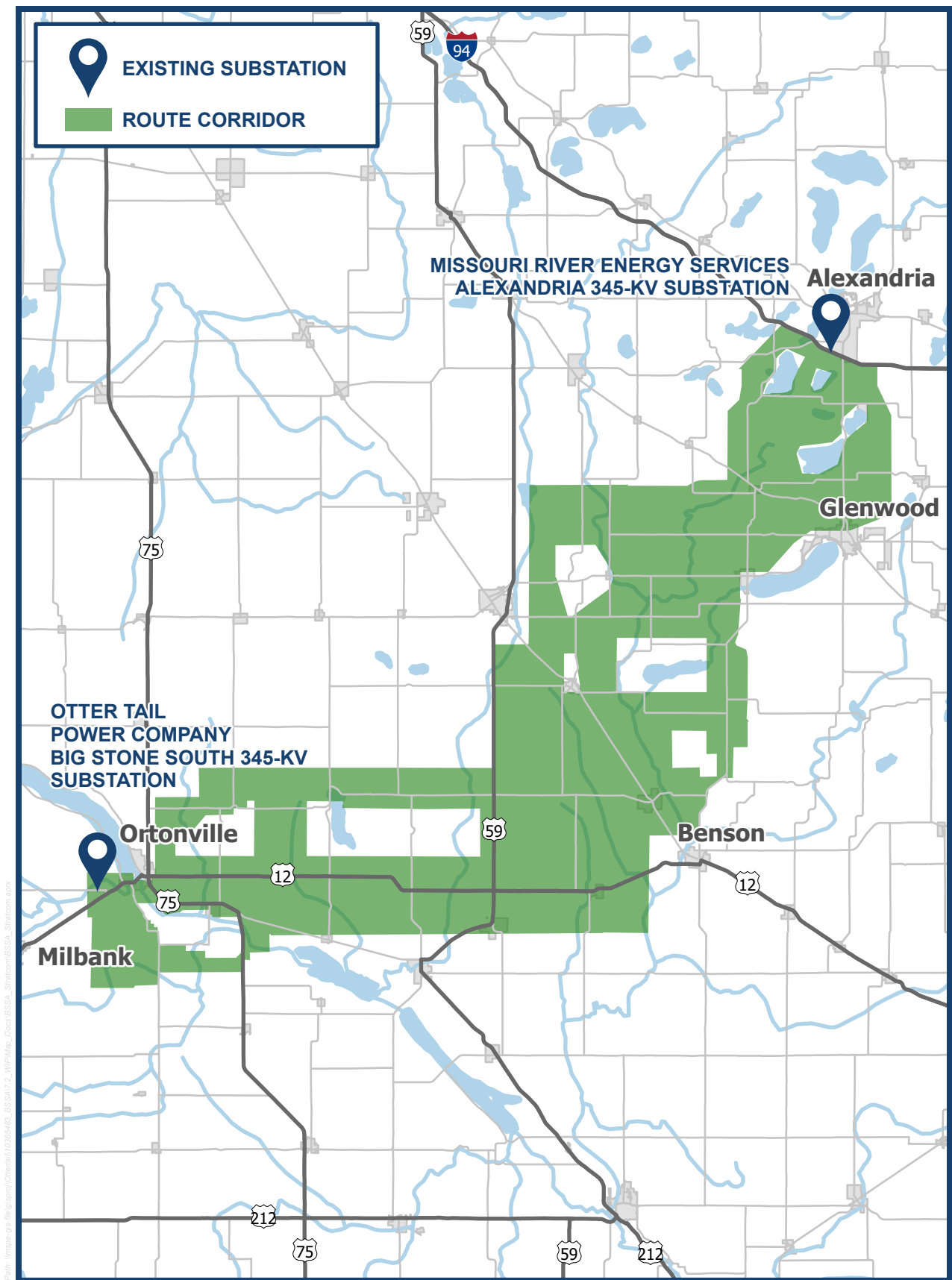
We appreciate and value your input in our on-going efforts to minimize effects to socioeconomics, avoid known culturally significant sites, protect natural resources, and utilize opportunities to parallel existing infrastructure corridors where feasible and look forward to your feedback and continued coordination.

Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map



▲ Route corridor is marked in green on the map above and subject to change.