

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

<p>Semipalmated Sandpiper <i>Calidris pusilla</i>  This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	<p>Breeds elsewhere</p>
<p>Short-billed Dowitcher <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></p>	<p>Breeds elsewhere</p>
<p>Upland Sandpiper <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></p>	<p>Breeds May 1 to Aug 31</p>
<p>Western Grebe <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></p>	<p>Breeds Jun 1 to Aug 31</p>
<p>Willet <i>Tringa semipalmata</i>  This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	<p>Breeds Apr 20 to Aug 5</p>

## 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.

- 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  $0.05/0.25 = 0.2$ .
- 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.

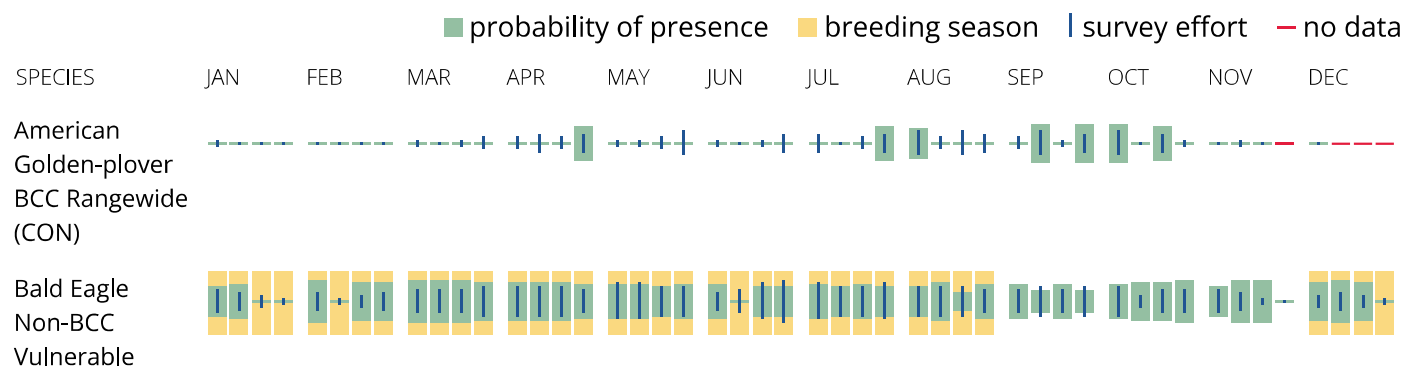
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

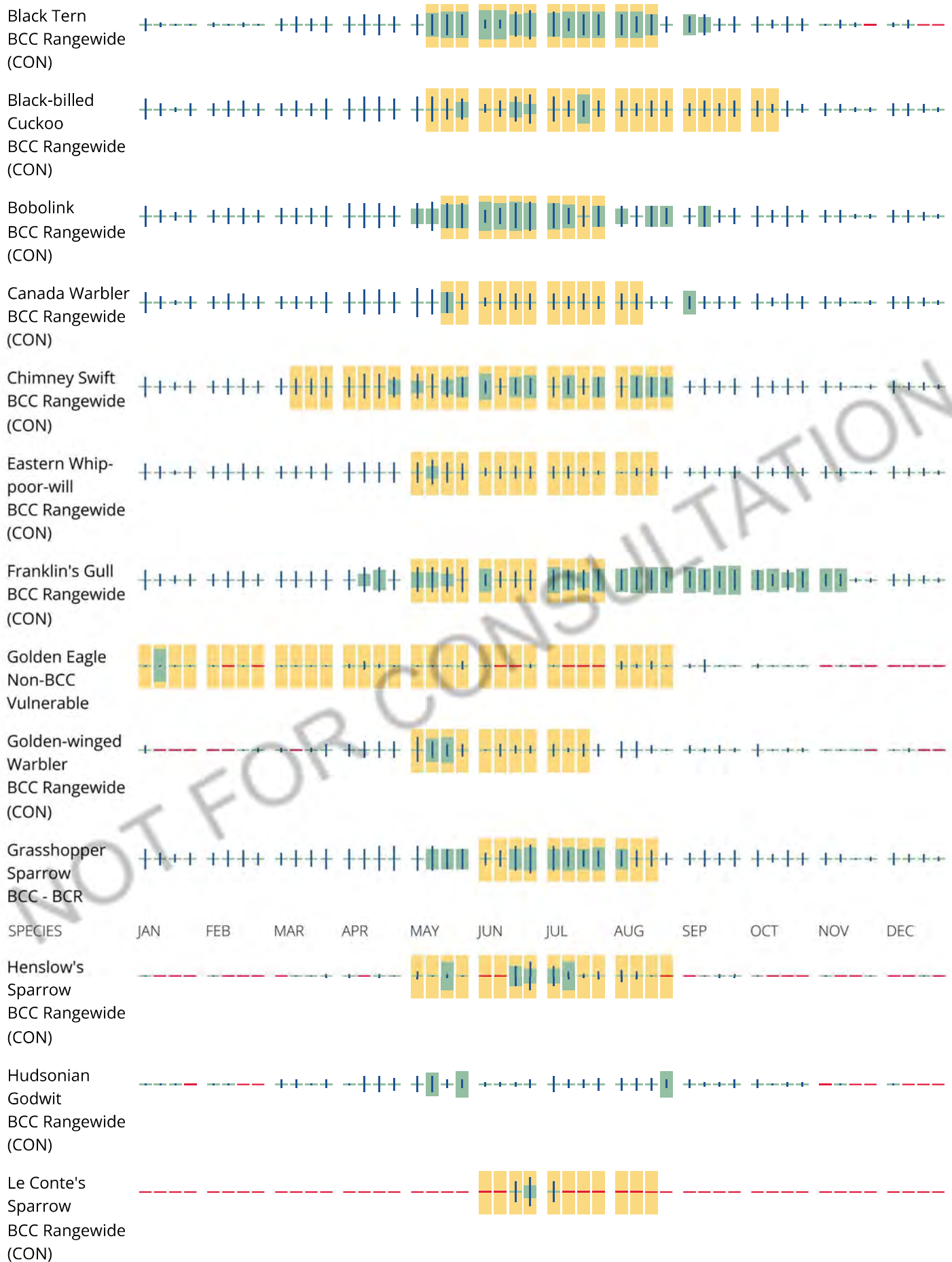
### No Data (—)

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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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  
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<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)

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**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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---



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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

---

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**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>  
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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)

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

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

\*MN, ND, SD, MT and TX

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

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**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](#)

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Environmental Services  
Direct: 218-739-8773  
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<Samantha.Phinney@hdrinc.com>; Raine, Katie <Katie.Raine@hdrinc.com>  
**Subject:** BSSA Minnesota USFWS Coordination\_Route Shapefiles\_20240523

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Jen

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**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](#)

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

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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](mailto:kscheidecker@otpc.com)>  
**Sent:** Tuesday, June 4, 2024 9:26:07 AM  
**To:** Freske, Bruce <[bruce\\_freske@fws.gov](mailto:bruce_freske@fws.gov)>; Budd, Michael <[michael\\_budd@fws.gov](mailto:michael_budd@fws.gov)>; Powers, Neil <[neil\\_powers@fws.gov](mailto:neil_powers@fws.gov)>  
**Cc:** Humburg, Joshua <[jhumburg@otpc.com](mailto:jhumburg@otpc.com)>; Weiers, Jason <[jweiers@otpc.com](mailto:jweiers@otpc.com)>; Malkin, Devin <[devin.malkin@hdrinc.com](mailto:devin.malkin@hdrinc.com)>; monica.peterson@hdrinc.com <[monica.peterson@hdrinc.com](mailto:monica.peterson@hdrinc.com)>; Kerr, Tom <[tom\\_kerr@fws.gov](mailto:tom_kerr@fws.gov)>; Kraetsch, Ashley M <[ashley\\_kraetsch@fws.gov](mailto:ashley_kraetsch@fws.gov)>; Phinney, Samantha <[Samantha.Phinney@hdrinc.com](mailto:Samantha.Phinney@hdrinc.com)>; Raine, Katie <[Katie.Raine@hdrinc.com](mailto:Katie.Raine@hdrinc.com)>; Brian Zavesky <[brian.zavesky@mrenergy.com](mailto:brian.zavesky@mrenergy.com)>; Hanley, Jennifer <[jennifer.hanley@hdrinc.com](mailto:jennifer.hanley@hdrinc.com)>  
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**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@otpc.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 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:
----------------------------------	--	--

<p>4. As applicant are you? (check one)</p> <p>a. <input type="checkbox"/> Individual</p> <p>b. <input type="checkbox"/> Corporation*</p> <p>c. <input type="checkbox"/> Partnership/Association*</p> <p>d. <input type="checkbox"/> State Government/State Agency</p> <p>e. <input type="checkbox"/> Local Government</p> <p>f. <input type="checkbox"/> Federal Agency</p> <p>* If checked, complete supplemental page</p>	<p>5. Specify what application is for: (check one)</p> <p>a. <input type="checkbox"/> New authorization</p> <p>b. <input type="checkbox"/> Renewing existing authorization number</p> <p>c. <input type="checkbox"/> Amend existing authorization number</p> <p>d. <input type="checkbox"/> Assign existing authorization number</p> <p>e. <input type="checkbox"/> Existing use for which no authorization has been received *</p> <p>f. <input type="checkbox"/> Other*</p> <p>* If checked, provide details under item 7</p>
--	---

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 Required

10. Nonrefundable application fee:  Attached  Not required  To be determined by agency

11. 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

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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.
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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:
----------------------------------	--	--

<p>4. As applicant are you? (check one)</p> <p>a. <input type="checkbox"/> Individual</p> <p>b. <input type="checkbox"/> Corporation*</p> <p>c. <input type="checkbox"/> Partnership/Association*</p> <p>d. <input type="checkbox"/> State Government/State Agency</p> <p>e. <input type="checkbox"/> Local Government</p> <p>f. <input type="checkbox"/> Federal Agency</p> <p>* If checked, complete supplemental page</p>	<p>5. Specify what application is for: (check one)</p> <p>a. <input type="checkbox"/> New authorization</p> <p>b. <input type="checkbox"/> Renewing existing authorization number</p> <p>c. <input type="checkbox"/> Amend existing authorization number</p> <p>d. <input type="checkbox"/> Assign existing authorization number</p> <p>e. <input type="checkbox"/> Existing use for which no authorization has been received *</p> <p>f. <input type="checkbox"/> Other*</p> <p>* If checked, provide details under item 7</p>
--	---

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 Required

10. Nonrefundable application fee:  Attached  Not required  To be determined by agency

11. 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.

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**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](#)

---

**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-504sdl3.png](#)  
[Easement Info for 8-20-2024 Route.zip](#)

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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

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Dear Bruce,

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Kevin Scheidecker  
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Environmental Services  
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[kscheidecker@otpc.com](mailto:kscheidecker@otpc.com)

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**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

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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>

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Bruce,

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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](#)

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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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krista\_adams@fws.gov

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**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>

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



# 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
<b>Golden Eagle <i>Aquila chrysaetos</i></b> 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 (■)

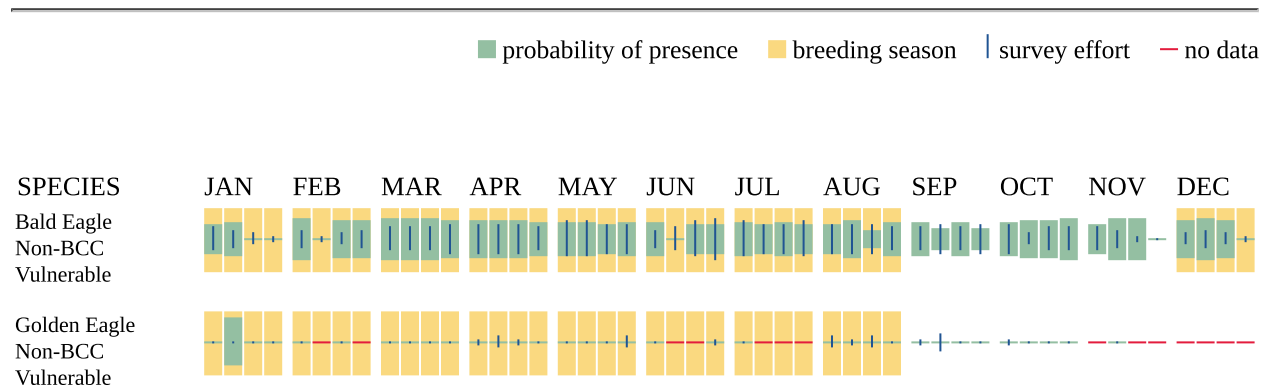
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

### 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 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



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>Antrastomus 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
<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> <p><a href="https://ecos.fws.gov/ecp/species/9482">https://ecos.fws.gov/ecp/species/9482</a></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> <p><a href="https://ecos.fws.gov/ecp/species/9469">https://ecos.fws.gov/ecp/species/9469</a></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> <p><a href="https://ecos.fws.gov/ecp/species/9469">https://ecos.fws.gov/ecp/species/9469</a></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> <p><a href="https://ecos.fws.gov/ecp/species/9469">https://ecos.fws.gov/ecp/species/9469</a></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> <p><a href="https://ecos.fws.gov/ecp/species/9561">https://ecos.fws.gov/ecp/species/9561</a></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> <p><a href="https://ecos.fws.gov/ecp/species/9398">https://ecos.fws.gov/ecp/species/9398</a></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> <p><a href="https://ecos.fws.gov/ecp/species/10633">https://ecos.fws.gov/ecp/species/10633</a></p>	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 (■)

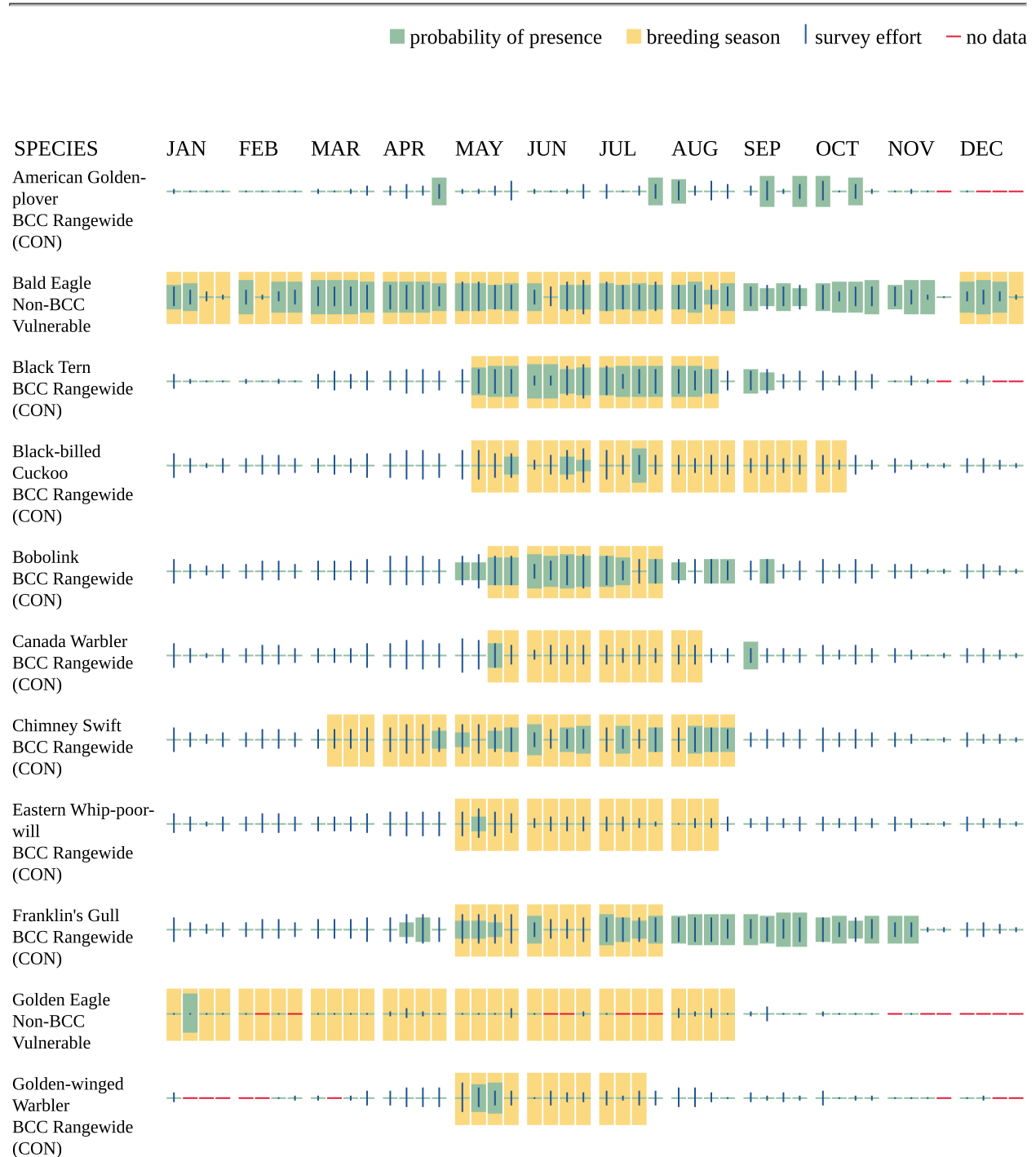
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

### Survey Effort (|)

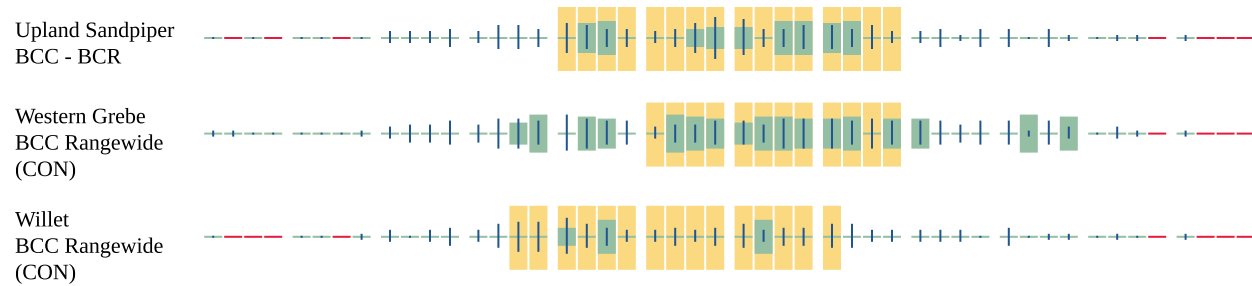
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

**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-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>

## 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:  
Project code: 2024-0136575  
Project Name: OTP Big Stone South to Alexandria (BSSA)

08/28/2024 16:47:19 UTC

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

<b>DATE</b>	<b>TYPE</b>	<b>FROM</b>	<b>TO</b>	<b>SUBJECT</b>
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).

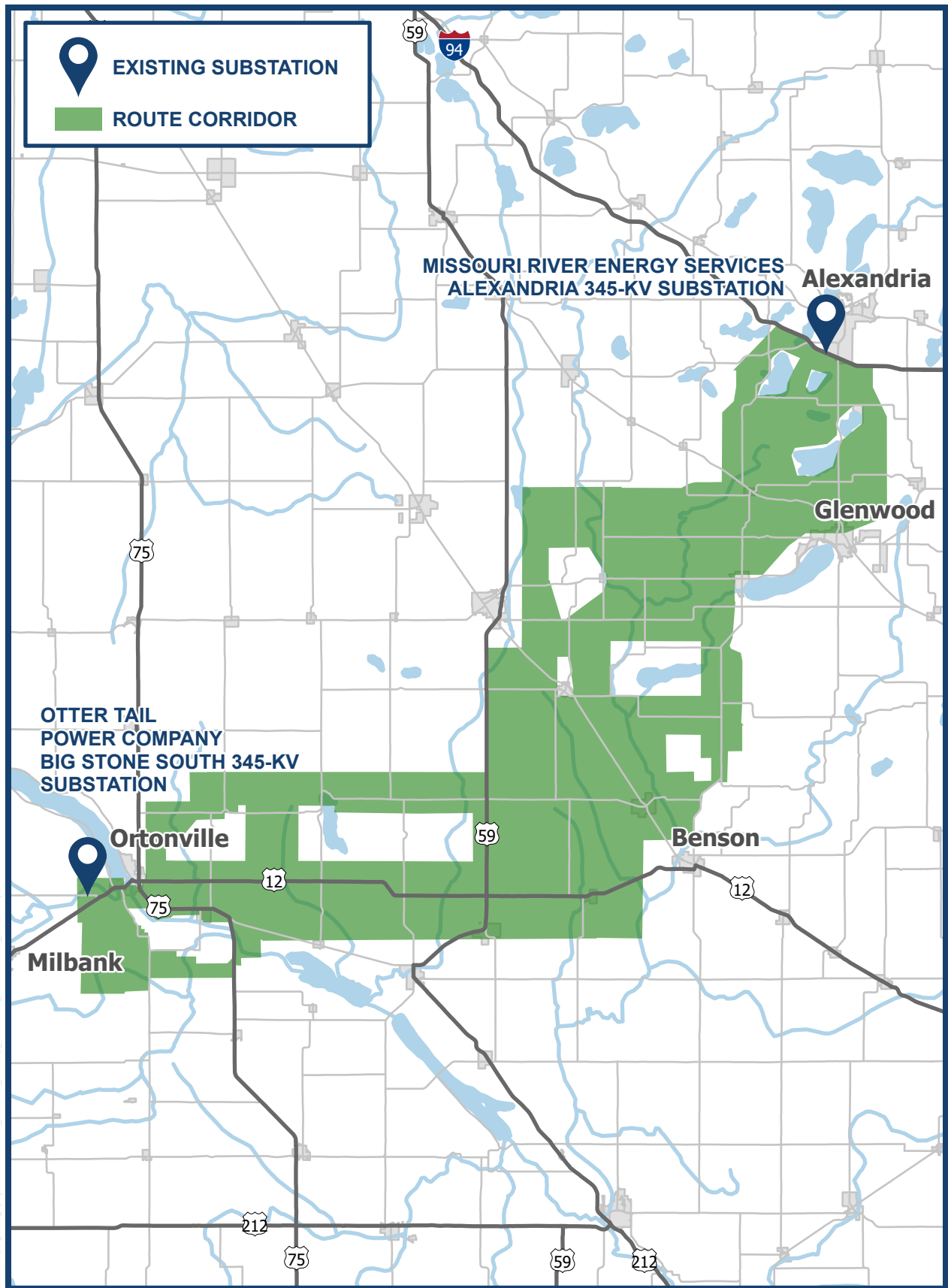
We appreciate and value your input in our on-going efforts to minimize effects to socioeconomics, avoid known culturally significant sites, protect natural resources, and utilize opportunities to parallel existing infrastructure corridors where feasible and look forward to your feedback and continued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

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HDR, Inc.  
Attn: Jennifer Hanley  
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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).

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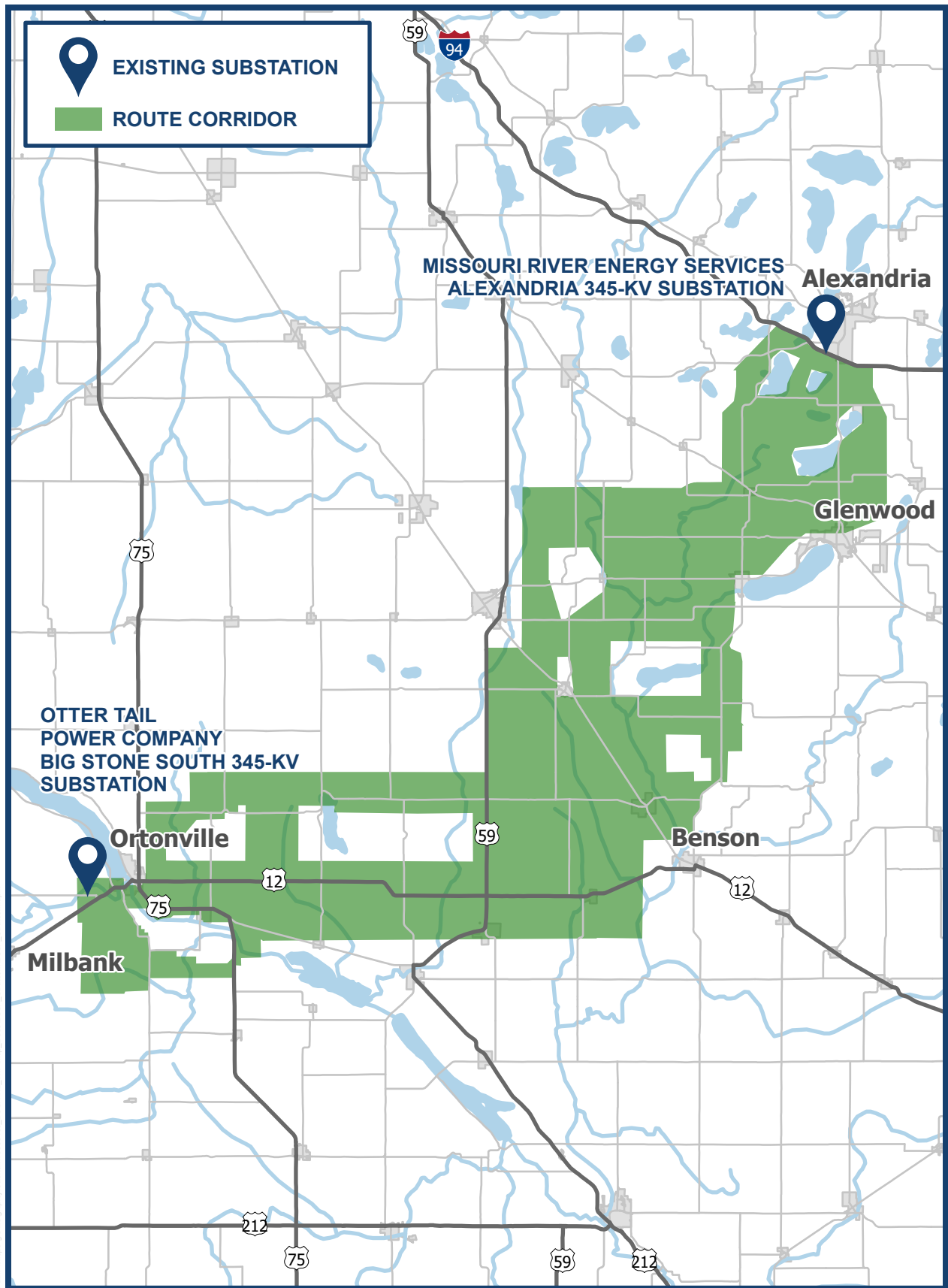
Sincerely,



Jason Weiers  
Manager, Transmission Project Development

Enclosure: BSSA Corridor Map





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