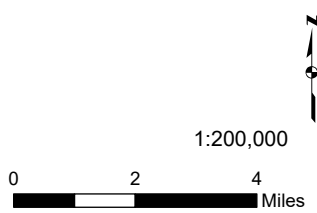
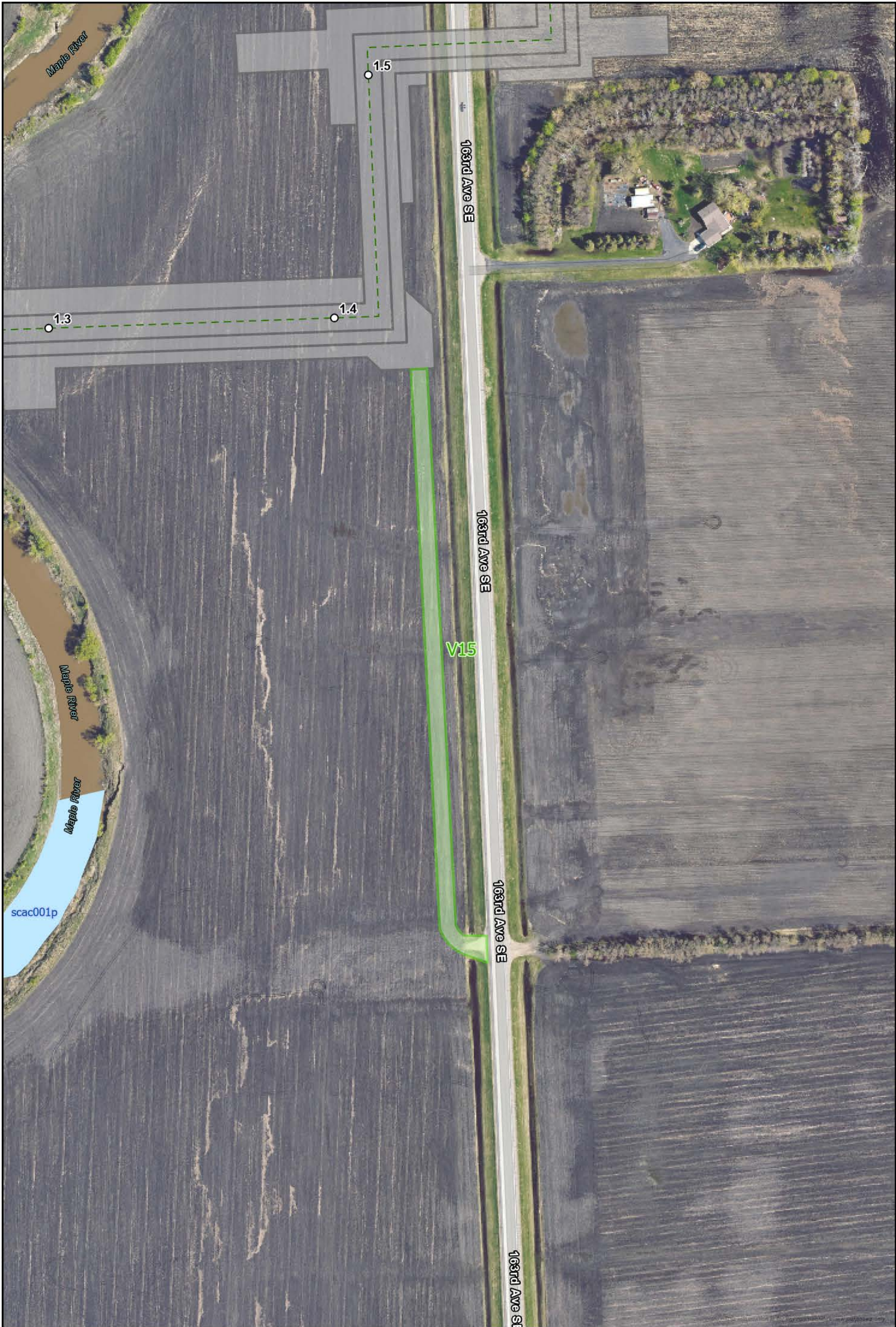


- Map Page
- Milepost
- Proposed Route



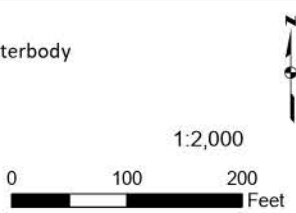
**Proposed Project Modifications**





- Milepost
- Proposed Centerline
- ▭ Proposed Route Update

- ▭ No Change
- ▭ Surveyed Waterbody



**Proposed Project Modifications**

**V15**  
Page 2 of 12





**Proposed Project Modifications**

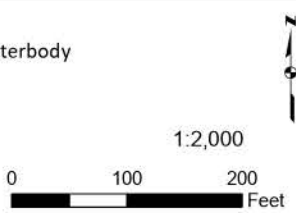
**V59**  
Page 3 of 12





- Milepost
- Proposed Centerline
- █ Proposed Route Update

- █ No Change
- █ Surveyed Waterbody



**Proposed Project Modifications**

V31  
Page 4 of 12





- Milepost
- - - Proposed Centerline
- Proposed Route Update
- No Change

1:1,000

0      100      200  
Feet



**Proposed Project Modifications**

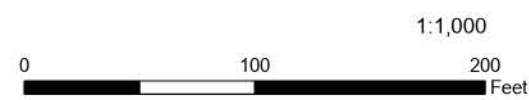
**V34**  
Page 5 of 12





- Milepost
- Proposed Centerline
- ▭ Proposed Route Update

- ▭ No Change
- ▭ Surveyed Wetland



**Proposed Project Modifications**

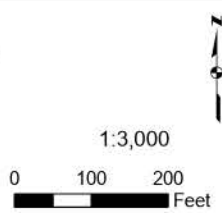
**V40**  
Page 6 of 12





- Milepost
- Proposed Centerline
- Proposed Route Update
- Workspace Removed

- No Change
- Surveyed Waterbody
- Surveyed Wetland



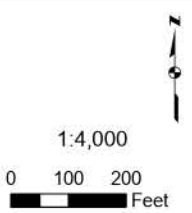
**Proposed Project Modifications**

**V12**  
Page 7 of 12





- Milepost
- Proposed Centerline
- ▭ Proposed Route Update
- ▭ Workspace Removed
- ▭ No Change
- ▭ Surveyed Wetland



**Proposed Project Modifications**

**V57**  
Page 8 of 12

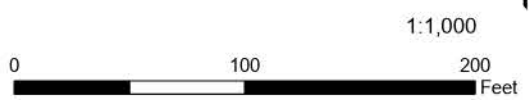






- Milepost
- Proposed Centerline
- ▭ Proposed Route Update

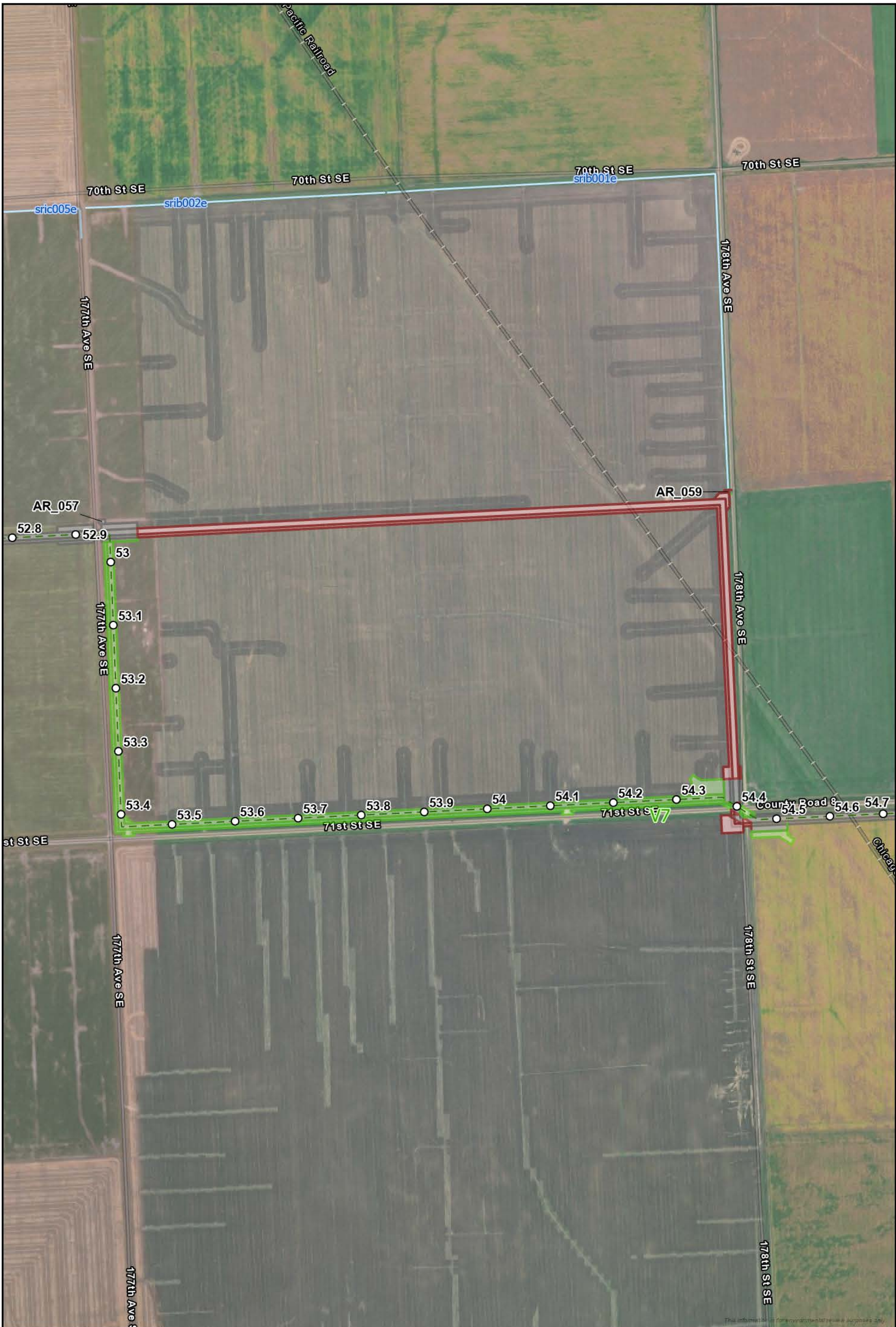
- ▭ No Change
- ▭ Surveyed Wetland



**Proposed Project Modifications**

**V51**  
Page 9 of 12





Milepost	Workspace Removed
Proposed Centerline	No Change
Proposed Route Update	Surveyed Waterbody

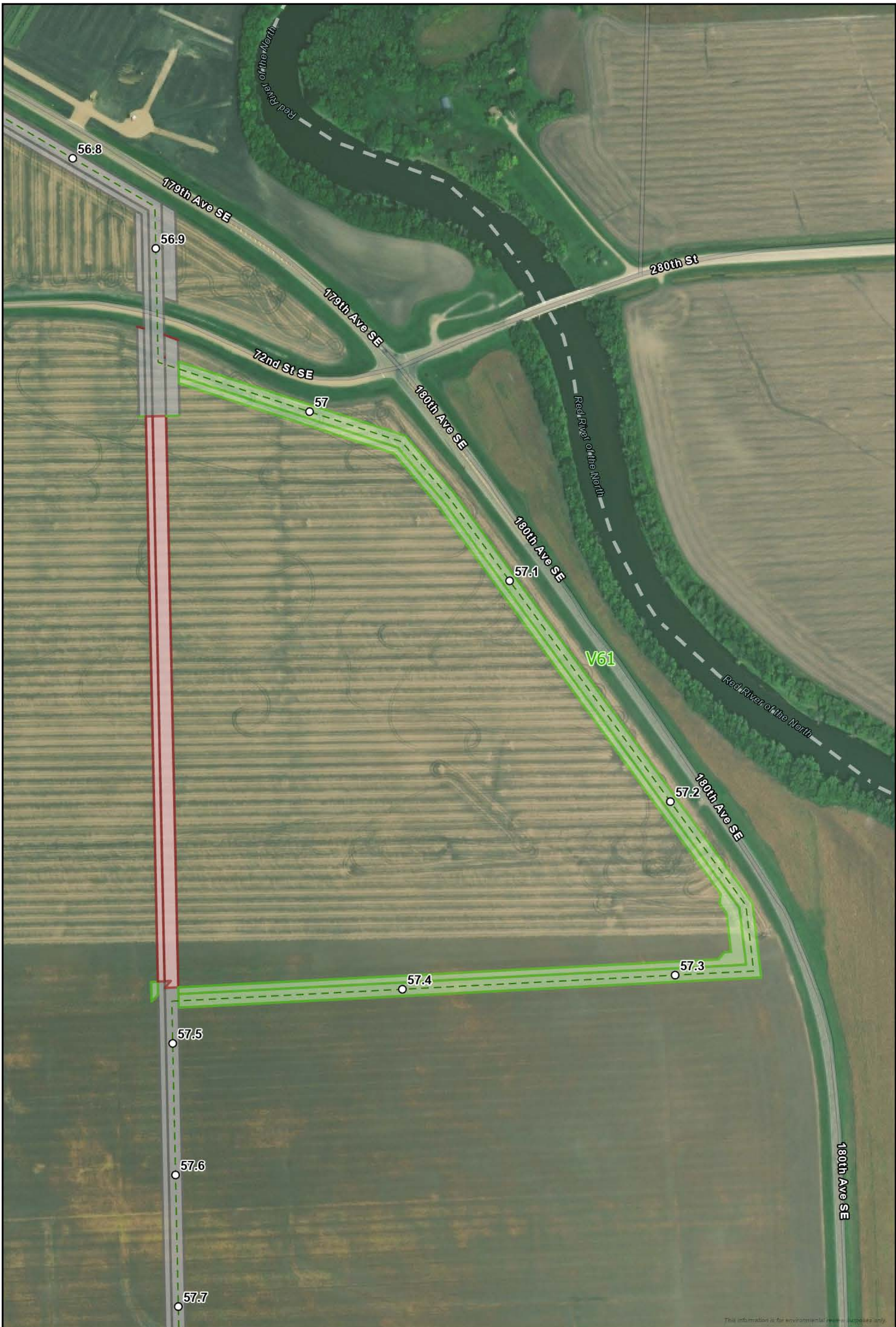
1:9,000  
0 100 200  
Feet



**Proposed Project Modifications**

V7  
Page 10 of 12





This information is for environmental review purposes only.

Milepost	Workspace Removed
Proposed Centerline	No Change
Proposed Route Update	

1:4,000

0 100 200 Feet



**Proposed Project Modifications**

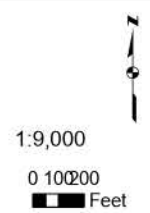
**V61**  
Page 11 of 12





- Milepost
- Proposed Centerline
- ▭ Proposed Route Update
- ▭ Workspace Removed

- ▭ No Change
- ▭ Surveyed Waterbody
- ▭ Surveyed Wetland



**Proposed Project Modifications**

V14  
Page 12 of 12





# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
North Dakota Ecological Services Field Office  
3425 Miriam Avenue  
Bismarck, ND 58501-7926  
Phone: (701) 250-4481 Fax: (701) 355-8513

In Reply Refer To:

04/11/2024 16:13:28 UTC

Project Code: 2024-0075852

Project Name: WBI Wahpeton Expansion Project (CP22-466-000)

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:

## **Section 7 of the Endangered Species Act**

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 the IPaC system by completing the same process used to receive the enclosed list.

The Act requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service *if they determine their project and associated actions "may affect" listed species or critical habitat*. If Federal agencies or their non-federal representatives determine their project and associated actions will have "no effect" on listed species, their habitats, or designated critical habitat, consultation is not required. However, if a "no effect" is determined, we recommend that you maintain a written record in support of your conclusion.

## **Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act**

Additionally, while not all are listed as threatened or endangered, eagles and migratory birds

have protections under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA). The BGEPA prohibits take which is defined as, “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb” (50 CFR 22.3). Disturb is defined in regulations as, “to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”. The MBTA makes it unlawful without a waiver to pursue, hunt, take, capture, kill, or sell birds listed as migratory birds, including eagles. The statute does not discriminate between live or dead birds and also grants full protection to any bird parts including feathers, eggs, and nests.

### **Service Property Interests**

As part of the National Wildlife Refuge System, the Service administers fee title Refuge and Waterfowl Production Areas, as well as wetland and grassland easements, throughout North Dakota. For exact locations of Service interest lands, please contact the appropriate Wetland Management Districts (WMD) for guidance regarding FWS easements.

Northwest ND WMD Complex: Kyle Flanery, (701) 768-2548

Eastern ND WMD Complex: Dave Azure, (701) 285-3341

Central ND WMD Complex (also covers south and west): Todd Luke, (701) 442-5474

### Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- 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:

### **North Dakota Ecological Services Field Office**

3425 Miriam Avenue

Bismarck, ND 58501-7926

(701) 250-4481

## PROJECT SUMMARY

Project Code: 2024-0075852  
Project Name: WBI Wahpeton Expansion Project (CP22-466-000)  
Project Type: Pipeline - Onshore - New Constr - Below Ground  
Project Description: Updated review for the WBI Wahpeton Expansion Project for FERC variance submittal.

### Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@46.8823074,-96.88800119846903,14z>



Counties: Cass and Richland counties, North Dakota

## ENDANGERED SPECIES ACT SPECIES

There is a total of 5 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. Note that 2 of these species should be considered only under certain conditions.

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. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>This species only needs to be considered if the project includes wind turbine operations.</li> </ul> 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. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>This species only needs to be considered if the project includes wind turbine operations.</li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered

**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

**FLOWERING PLANTS**

NAME	STATUS
Western Prairie Fringed Orchid <i>Platanthera praeclara</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1669">https://ecos.fws.gov/ecp/species/1669</a>	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.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

# 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.

## RIVERINE

- R4SBA
- R2UBG
- R4SBAx
- R2UBF
- R2UBFx
- R2UBH
- R4SBCx
- R4SBC

## FRESHWATER EMERGENT WETLAND

- PEM1C
- PEM1E
- PEM1A
- PEM1Ad
- PEM1Ax
- PEM1Cx
- PEM1B

## OTHER

- Pf

## FRESHWATER POND

- PABFx

## **IPAC USER CONTACT INFORMATION**

Agency: ERM

Name: Kathleen McDaniel

Address: 5784 Widewaters Parkway

City: Syracuse

State: NY

Zip: 13214

Email: kathleen.mcdaniel@erm.com

Phone: 3153219174

# Attachment C-2

## ND SHPO Correspondence

(Public)



July 15, 2024

Price Laird  
ERM  
3300 Breckinridge Boulevard, Suite 300  
Duluth, GA 30096

**ND SHPO Ref: 21-6245 WBI Wahpeton Expansion Addendum 3 in portions of Cass and Richland Counties, North Dakota**

Dear Price,

We reviewed the report for 21-6245 titled "Class III Archaeological Survey Addendum Report 3, WBI Energy Transmission, Inc., Wahpeton Expansion Project, Cass and Richland Counties, North Dakota" from ERM by William Eichmann, Kara Wallace, Kevin Malloy, and Kenneth Hawkins. We find the report acceptable and will add it to our manuscript collection.

We concur with a determination of "No Historic Properties Affected" for this portion of the project provided the project takes place as described in the documentation and all borrow comes from an approved source.

Thank you for the opportunity to review this project. For future correspondence regarding this project, please include the ND SHPO Reference number indicated in this letter. If you have any questions, please contact Margie Patton, Research Archaeologist at 701-328-3576 or [mmpatton@nd.gov](mailto:mmpatton@nd.gov).

Sincerely,

for William D. Peterson, PhD  
State Historic Preservation Officer  
(North Dakota)

21-6245