

12.1.2 Sensitive Species

State Waterfowl Refuge

The Applicants consulted with the South Dakota Game Fish and Parks (GFP) to identify the State Waterfowl Refuges, as the Applicants were unaware of any State Waterfowl Refuges in the project area. After speaking with Ms. Leslie Peterson, she indicated there are no State Waterfowl Refuges near the project area and these lands are typically owned by the U.S. Fish and Wildlife Service, located along the Missouri River. However, as indicated on Appendix A.1 a true and correct copy of which is attached as Exhibit B.

As indicated on Appendix A.1 (Ex. B), the proposed route crosses the eastern border of the Lake Albert State Waterfowl Refuge. The property within the refuge is privately owned by Ralph, Nancy, and Marjorie Schmidt. The Schmidts have granted the Applicants an option for easement for the transmission line to cross the referenced property. The proposed route does not cross any state waterfowl refuge property that is owned by the State of South Dakota.

Transmission structures constructed within the refuge will not be located below the Ordinary High Water Mark ("OHWM"). Because the poles for the transmission structures will not be placed within the OHWM, approval from the GFP and Department of Environment and Natural Resources ("DENR") is not required. The route's placement within the refuge poses no other known restrictions in regard to siting, construction, or operation of the proposed transmission line.

State Game Production Area

Also as indicated on Appendix A.1 (Ex. B), the proposed route crosses a State Game Production Area (GPA) near the Big Stone plant. However, this land remains in the ownership of the Big Stone Plant with the SD GFP having only the right to manage the area for wildlife purposes. The Big Stone Owners reserve the right to inspect, construct or maintain electrical apparatus or structures. Therefore, there are not permits required for crossing this GPA.

