

Introduction

Basin Electric Power Cooperative (Basin Electric) submitted siting application Docket EL09-015 to the South Dakota Public Utilities Commission (SD PUC) in July 2009. SD PUC provided a stipulation for Docket EL09-015. This document provides documentation to comply with terms and conditions presented in the stipulation associated with activities and actions required prior to construction.

1.0 Condition 1

The Applicant shall obtain all governmental permits which reasonably may be required by any township, county, state or federal agency or any other governmental unit for construction activity prior to engaging in the particular activity covered by that permit. Copies of any permits obtained by the Applicant shall be sent to the Commission.

Applicable construction permits obtained by Basin Electric are provided as part of Volume I of the Appendix in this document. Applicable permits are listed in Table 1.0-1; several are pending. All required permits will be obtained and provided to SD PUC prior to construction of the facilities covered under such permit.

Table 1.0-1
Permits and Approvals

Federal/State/Local	Agency	Permits/Approvals/Consultations	Status
Federal	Western Area Power Administration/Rural Utilities Service	Approval through a Record of Decision on an Environmental Impact Statement	Pending
	U.S. Army Corps of Engineers	Nationwide 39 Permit	Appendix A
State	South Dakota Department of Environment and Natural Resources	National Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activities	Appendix B
	South Dakota Department of Environment and Natural Resources	Water Appropriation for non-irrigation uses	Appendix C
	South Dakota Department of Environment and Natural Resources	PSD Permit to Construct	Pending
Local	Brookings County	Driveway and Approach Permits	Appendix D
	Brookings County	Building Permits	Appendix D
	Sherman, Richland, Alton and Lake Hendricks Townships	Agreements for Use and Restoration of Haul Road	Appendix E

2.0 Condition 9

Basin Electric shall inform the Commission of its intent to start construction on the Deer Creek Station Project 30 days prior to the commencement of construction.

Basin Electric submitted a notice of intent to start construction 30 days prior to the commencement of construction in a separate submittal.

3.0 Condition 10

Prior to the start of each phase of construction, Basin Electric shall file maps with the Commission depicting the final pre-construction general arrangement of the energy conversion facility, wells and plan and profile drawings of the water pipeline and transmission line.

A map depicting the final pre-construction general arrangement of the energy conversion facility is provided in Volume II Appendix J. Maps depicting the final pre-construction plan and profiles of the water pipeline and wells are provided as Volume II Appendix K. Plan and profile drawings for the electric transmission line will be provided prior to the construction of this project component in spring of 2011.

4.0 Condition 12

Not later than one month prior to commencement of construction, Basin Electric shall commence contacts with state, county and municipal emergency response, law enforcement and highway, road and other infrastructure management agencies serving the Project area in order to educate such agencies concerning the planned construction schedule and the measures that such agencies should begin taking to prepare for construction impacts and the commencement of Project operations.

Basin Electric has met with state, county and municipal emergency response, law enforcement and highway, road and other infrastructure management agencies concerning the planned construction schedule and the measures that such agencies should be taking to prepare for construction impacts and the commencement of Project operations. Documentation of the contact and meetings is provided in Appendix F. These meetings will be on-going during the construction and operation phases of the Project.

5.0 Condition 13

Basin Electric shall conduct a pre-construction conference prior to commencement of any construction, which shall include a Basin Electric representative, its construction supervisor and a representative of the Commission Staff to ensure that Basin Electric fully understands the conditions set forth in the Order.

Basin Electric has scheduled a pre-construction conference for June 24, 2010 with representatives of the Commission Staff and construction supervision.

6.0 Condition 14

The Applicant shall provide each landowner on whose property the Project is to be constructed with the following information: a) A copy of the Commission Order; b) Detailed safety information describing reasonable safety precautions for existing activities on or near Project facilities; known activities or uses that are presently prohibited near Project facilities; and other potential dangers or limitations near Pipeline facilities; c) Construction/maintenance damage compensation policies and procedures; d) The Commission's address, web site and phone number; e) Contact person with Basin Electric including name and phone number; f) An explanation regarding trenching and topsoil and subsoil/rock removal, segregation and restoration methods.

Basin Electric has mailed notification letters to each landowner on whose property the Project is to be constructed. A copy of the notification letter, the mailing list for the notification letters, and certification of mailings are provided in Appendix G.

7.0 Condition 27

Basin Electric shall use appropriate preventative measures to prevent damage to paved roads and to remove excess soil or mud from such roadways. Before commencing construction, the Applicant shall furnish an indemnity bond in the amount of \$800,000 to comply with the requirements of SDCL 49-41B-38. Such bond shall be issued in favor of, and for the benefit of, all such townships, counties and other governmental entities whose property is crossed by the transmission facilities. The bond shall remain in effect until released by the Commission, which release shall not be unreasonably denied following completion of the construction and repair period. Basin Electric shall give the notice of the existence and amount of these bonds to all counties, townships and other governmental entities whose property is crossed by the transmission facilities.

Basin Electric has furnished and issued an indemnity bond in the amount of \$800,000 to comply with the requirements of SDCL 49-41B-38. Basin Electric has provided notice of the existence and amount of the bond to all counties, townships and other governmental entities whose property is crossed by the transmission facilities. These entities include Brookings County, Deuel County, Scandinavia Township, Sherman Township, Alton Township, Richland Township, Lake Hendricks Township, and South Dakota Department of Transportation. A copy of the bond and notice is provided in Appendix H.

8.0 Condition 29

Basin Electric shall, prior to any construction, file with the Commission a list identifying private and new access roads that will be used during construction and description of methods to be used by Basin Electric to reclaim those roads.

A list of all private and new access roads that will be used during construction and description of methods used by Basin Electric to reclaim those roads is provided in Appendix I.

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