

Appendix B

Notices of Intent WY and SD (when developed)



**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
NOTICE OF INTENT (NOI)**

to Obtain Coverage Under the SWD General Permit for Storm Water Discharges
Associated with Construction Activities

Return to: SD Department of Environment and Natural Resources
Surface Water Quality Program
PMB 2020
523 East Capitol Avenue
Pierre, South Dakota 57501-3181
Telephone: (605) 773-3351 or 1-800-SDSTORM

I. Site Owner Contact Information:

Company Name: Black Hills Energy - South Dakota, Black Hills Power, Inc.
 Primary Contact Person: Michael Pogany
 Mailing Address: Po Box 1400
 City: Rapid City State: SD Zip Code: 57709-1400
 Phone Number: 605-721-2737 Email Address: mike.pogany@blackhillscorp.com

II. Contractor Information:

Will any contractors be responsible for erosion and sediment control practices? Yes No

(A contractor certification form must be submitted for each contractor that will have day to day responsibility for erosion and sediment control practices. If these contractors have not been identified at the time this NOI is submitted, the contractor certification form may be submitted after they have been identified.)

III. Construction Project Information: (Physical location of the construction site to be permitted)

Project Name: Tekla - Osage - Rapid City 230kV Transmission Line
 Primary Contact Person: Michael Pogany
 Street Address: SD border - Lange Substation
 City: N/A County: Pennington State: SD Zip Code: _____
 Latitude: 44.121069 Longitude: -103.260250 Source: (e.g. GPS, Google, etc.) GPS
 Quarter: _____ Section: _____ Range: _____ Township: _____
 Phone Number: 605-721-2737 Email Address: mike.pogany@blackhillscorp.com

Type of Ownership: Private Federal State Public (Other than Federal or State)

Is this project located Yes
on Tribal Lands? No

What is the total area disturbed by the project (in acres)? SD, 9 acres total

Do you wish to receive a Yes
full copy of the permit? No

Will this project encroach, damage or destroy one of the
historic sites identified at the following websites: Yes
<http://history.sd.gov/Preservation/NatReg/NatReg.aspx> or No
<http://www.nps.gov/nhl/find/statelists/sd/SD.pdf>

IV. Storm Water Pollution Prevention Plan:

Has the Pollution Prevention Plan been developed as required? Yes No

Please note - the Plan must be developed **before** the NOI is submitted. DENR will not issue coverage until the storm water pollution prevention plan has been developed.

FOR DENR USE ONLY			
Postmark Date: _____	Permit Number: _____	Date Permitted: _____	Initials: _____

IV. Receiving Waters:

Please list all possible waters that may receive a discharge from this site. If discharging to a Municipal Storm Sewer System, indicate which municipality and the ultimate receiving water. Attach additional sheets if necessary.

Dutchman, Castle, Horse, & Rapid Creeks plus unnamed tributaries

V. Nature of Discharge:

Please include a brief description of the construction project:

Construct 230kV transmission line from Tectla, WY to Osage, WY to Rapid City, SD Large substation

Will construction dewatering be required? Yes No If Yes, please complete Section VII also.

VI. Construction Project Dates:

Project Start Date (MM/DD/YYYY):

SD portion June 15th, 2016

Estimated Completion Date (MM/DD/YYYY):

Dec 31, 2016.

VII. Dewatering History: (Construction Activities involving dewatering activities):

Date dewatering will commence: _____

Date dewatering will end: _____

Total volume of dewatering: _____

Average flow rate of dewatering: _____

Source of water to be discharge: _____

Receiving water: _____

Brief description of water treatment processes employed, if any:

Is there any reason to believe that the dewatering discharge may contain anything other than uncontaminated groundwater and storm water?

Yes No

If yes, you must also submit a NOI for coverage under the temporary discharge general permit. The construction storm water general permit does not cover discharges of contaminated groundwater.

NOTE: Please place points of withdrawal and discharge on a topographic map, or other map if a topographic map is unavailable. This map should extend to one (1) square mile beyond the property boundaries of the facility and each of its discharge facilities, and those wells, springs, and other surface water bodies, drinking water wells, and surface water intake structures listed in public records, or otherwise known to the applicant in the map area.

VIII. Other Information

List other information which you feel should be brought to the attention of the SDDENR regarding coverage under this general permit. Attach additional sheets if necessary.

Multi-state project with multiple state & federal permits. Wyoming WYPDES stormwater permit # WYR105257.

STATE OF SOUTH DAKOTA
BEFORE THE SECRETARY OF

THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

IN THE MATTER OF THE)
APPLICATION OF)
Black Hills Power, Inc.)
STATE OF South Dakota)
COUNTY OF Pennington)

CERTIFICATION OF
APPLICANT

I, Stuart Wevik, the applicant in the above matter after being duly sworn upon oath hereby certify the following information in regard to this application:

I have read and understand South Dakota Codified Law Section 1-40-27 which provides:

"The secretary may reject an application for any permit filed pursuant to Titles 34A or 45, including any application by any concentrated swine feeding operation for authorization to operate under a general permit, upon making a specific finding that:

- (1) The applicant is unsuited or unqualified to perform the obligations of a permit holder based upon a finding that the applicant, any officer, director, partner, or resident general manager of the facility for which application has been made:

 - (a) Has intentionally misrepresented a material fact in applying for a permit;*
 - (b) Has been convicted of a felony or other crime involving moral turpitude;*
 - (c) Has habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage;*
 - (d) Has had any permit revoked under the environmental laws of any state or the United States; or*
 - (e) Has otherwise demonstrated through clear and convincing evidence of previous actions that the applicant lacks the necessary good character and competency to reliably carry out the obligations imposed by law upon the permit holder; or**
- (2) The application substantially duplicates an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Nothing in this subdivision may be construed to prohibit an applicant from submitting a new application for a permit previously denied, if the new application represents a good faith attempt by the applicant to correct the deficiencies that served as the basis for the denial in the original application.*

All applications filed pursuant to Titles 34A and 45 shall include a certification, sworn to under oath and signed by the applicant, that he is not disqualified by reason of this section from obtaining a permit. In the absence of evidence to the contrary, that certification shall constitute a prima facie showing of the suitability and qualification of the applicant. If at any point in the application review, recommendation or hearing process, the secretary finds the applicant has intentionally made any material misrepresentation of fact in regard to this certification,

consideration of the application may be suspended and the application may be rejected as provided for under this section.

Applications rejected pursuant to this section constitute final agency action upon that application and may be appealed to circuit court as provided for under chapter 1-26."

I certify pursuant to 1-40-27, that as an applicant, officer, director, partner, or resident general manager of the activity or facility for which the application has been made that I; a) have not intentionally misrepresented a material fact in applying for a permit; b) have not been convicted of a felony or other crime of moral turpitude; c) have not habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage; (d) have not had any permit revoked under the environmental laws of any state or the United States; or e) have not otherwise demonstrated through clear and convincing evidence of previous actions that I lack the necessary good character and competency to reliably carry out the obligations imposed by law upon me. I also certify that this application does not substantially duplicate an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Further;

"I declare and affirm under the penalties of perjury that this claim (petition, application, information) has been examined by me, and to the best of my knowledge and belief, is in all things true and correct."

Dated this 27 day of May, 2016.

Stuart Weir
Applicant (print)

Stuart Weir
Applicant (signature)

Subscribed and sworn before me this 27th day of May, 2016.

Carolyn J. Scheler
Notary Public (signature)

My commission expires: 1-10-2021



(SEAL)

PLEASE ATTACH ANY ADDITIONAL INFORMATION NECESSARY TO DISCLOSE ALL FACTS AND DOCUMENTS PERTAINING TO SDCL 1-40-27 (1) (a) THROUGH (e). ALL VIOLATIONS MUST BE DISCLOSED, BUT WILL NOT AUTOMATICALLY RESULT IN THE REJECTION OF AN APPLICATION

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7008 1140 0000 5614 1790

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



SD DENR
PMB 2020 - Surface Water Quality Program
523 E Capitol Ave
Pierre, SD 57501-3181

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SD DENR
PMB 2020 - Surface Water Quality Program
523 E Capitol Ave
Pierre, SD 57501-3181



9590 9401 0017 5205 5838 14

2. Article Number (Transfer from service label)

7008 1140 0000 5614 1790

COMPLETE THIS SECTION ON DELIVERY

A. Signature **CENTRAL MAIL SERVICES** Agent
X **1320 E SIOUX AVE** Addressee
PIERRE SD 57501

B. Received by (Printed Name)
JUN 08 2016

C. Date of Delivery
JUN 08 2016

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**Renewal Form
for the
Large Construction
General Permit
for Storm Water Discharges
(for the 2016 permit renewal)**



Official Use Only
Date received:

Use this form to renew storm water permit coverage for the project listed below. The large construction general permit (LCGP) that you have had coverage under expired 4/21/16. It has been replaced by a new permit. See material accompanying this form for more complete information. **Complete and return this form by June 30, 2016 to continue coverage under the Large Construction General Permit. If no renewal is received, coverage for this project will expire July 31, 2016.**

Part 1 – Verify or Correct Existing Data

To renew your existing coverage under the new LCGP please verify that the information below is correct and add any missing information. Please make corrections on this form very obvious. Fields that don't appear to have been changed will not be reviewed by storm water program staff.

The project operator and permittee is (usually a company name):		Black Hills Power, Inc.	
Permittee contact: (a person who is an employee or an officer of the Permittee who meets the signatory requirements specified below and is the "legally responsible" person)			
Name	Ivan Vancas Stuart Wevik		
Mailing Address City, State, ZIP	PO Box 1400 Rapid City, SD 57702		
Phone	605-721-2737	Email:	mike.pogany@blackhillscorp.com

Local Contact:		<input type="checkbox"/> Same as permittee contact	
<i>Person who is familiar with the project and who will be the primary contact for setting up inspections and inquiries into site operations, etc.</i>			
Name	Michael Pogany		
Company	Black Hills Power, Inc.		
Mailing Address City, State, ZIP	PO Box 1400 Rapid City, SD 57702		
Phone:	605-721-2737	Email:	mike.pogany@blackhillscorp.com

Storm water authorization number is:	WYR105257		
The project name is:	Teckla-Osage-Rapid City 230 kV Transmission Line		
The project location is:	Section 34, Township 42 North, Range 73 West to Section 15, Township 46 North, Range 60 West.	lat/long:	43.56256 / -105.36751
The project is located in the following county(ies):	Campbell Weston	Expected acres to be disturbed:	42

The undersigned acknowledges that the project storm water pollution prevention plan (SWPPP) must be amended by October 1, 2016 to meet the requirements of the renewed permit (see part 8 of the permit).

Part 2 – For Transferring Permit Authorization to a New Operator Only or a Company Name Change

Check this box if this you are transferring this authorization to your organization from another operator or your company's name has changed.

By your signature below you agree to accept the transfer as stated in the paragraph below.

For transfers: I hereby accept transfer of this Wyoming Discharge Permit Authorization. I have reviewed the terms and conditions of the large construction general permit and hereby assume and agree to pay, perform and discharge the obligations of the permit. I have also reviewed the storm water pollution prevention plan (SWPPP) for this project and will amend the SWPPP as necessary (see Part 8 of the permit).

Part 3 – Permit Fee

A check covering the required permit fee must be submitted with this renewal form. Please go to the WYPDES fee calculator to calculate the required fee or see the permit at Part 6 for more information. Please provide the following information to verify your fee amount:

Date coverage will start. This date is the day the new permit was issued:	April 22, 2016
Date you wish coverage under the LCGP to expire (not to exceed 3/15/20). LCGP coverage must be maintained on this project until the project no longer requires permit coverage (i.e., the project reaches "finally stabilized" condition – see Part 2.8 in the permit for a definition). Permittee must renew coverage if the project is not "finally stabilized" by this date:	12/29/2017
Amount remitted: \$200.00 As per Fee calculator	Check # (if available):

Part 4 – Certification and Signature of the "Legally Responsible Person."

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. In addition, I certify that I am aware of the terms and conditions of the large construction general permit and I agree to comply with those requirements and any additional sage grouse Executive Order stipulations and operating restrictions or recommendations provided by the Wyoming Game & Fish Department for activities in Greater Sage Grouse Core Areas.

Stuart Wevik Group Vice President, Electric Utilities
 Printed Name of Authorized Signatory (see box below) Title

Stuart Wevik 5/27/16 605 721-2222
 Signature of Authorized Person Date Telephone

Section 35-11-901 of Wyoming Statutes provides that:

"Any person who knowingly makes any false statement, representation, or certification in any application . . . shall, upon conviction, be fined not more than ten thousand dollars (\$10,000) per day for each violation or imprisoned for not more than one (1) year, or both."

Authorized signatories for this Renewal Form are the following "legally responsible persons:"	
For corporations:	A principal executive officer of at least the level of vice president, or the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the overall operation of the facility from which the discharge originates.
For partnerships:	A general partner.
For a sole proprietorship:	The proprietor.
For a municipal, state, federal or other public facility:	Either a principal executive officer or ranking elected official.

To maintain permit coverage you must return this form to WDEQ by June 30, 2016.

Mail or hand deliver this renewal form to: WYPDES Storm Water Section
WDEQ/WQD
200 West 17th Street
Cheyenne, WY 82002

Check Date: May/31/2016		Supplier Number: 0000063684		Check No: 0000687487							
Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Taken	Late Charge	Paid Amount					
05261620000-SOW	May/26/2016	00072909	200.00	0.00	0.00	200.00					
Check Number		Date		Total Gross Amount		Total Discounts		Total Late Charge		Total Paid Amount	
0000687487		May/31/2016		\$200.00		\$0.00		\$0.00		\$200.00	

THE FACE OF THIS DOCUMENT HAS A MULTI-COLORED BACKGROUND ON WHITE PAPER, A VOID PANTOGRAPH AND MICROPRINTING, THE BACK OF THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK.

BH SERVICE COMPANY LLC
 PO BOX 8106
 RAPID CITY SD 57709

Date May/31/2016

0000687487

WELLS FARGO
 115 HOSPITAL DRIVE
 VAN WERT OH 45891

56-382/412

9600193131

Pay ****TWO HUNDRED AND XX/100 DOLLAR ****

Pay Amount
 \$200.00***

To The
 Order Of

STATE OF WYOMING
 DEPT OF ENVIRONMENTAL QUALITY
 200 W 17TH ST 3RD FLR
 CHEYENNE WY 82002

Rich Kightly
 Authorized Signature

⑈0000687487⑈ ⑆041203824⑆ 9600193131⑈