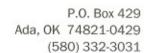
Appendix J

Letters of Section 7 Consultation Commitments from Power Providers





September 8, 2010

Mr. John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re: Power Lines Serving Keystone XL Pipeline Pump Stations

Dear Mr. Cochnar:

People's Electric Cooperative a power provider located in southeastern Oklahoma, is providing electric service to Pump Station #34 of the Keystone XL Pipeline Project. As part of the environmental review of the Keystone XL Project, we understand certain impacts associated with the power lines being constructed by all power providers has to be reviewed and approved by the US Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act.

As such, we agree that we will consult with your office on mitigative and protective measures that can be incorporated into the design of the power line facilities in order to minimize impacts to the Whooping crane, interior least tern, and piping plover that may occur in certain specific areas along the power line corridors.

Enclosed are proposed maps of the power lines we intend to build to service the Keystone XL Project. We would appreciate your comments on where the mitigative measures need to be incorporated and what measures are specifically warranted.

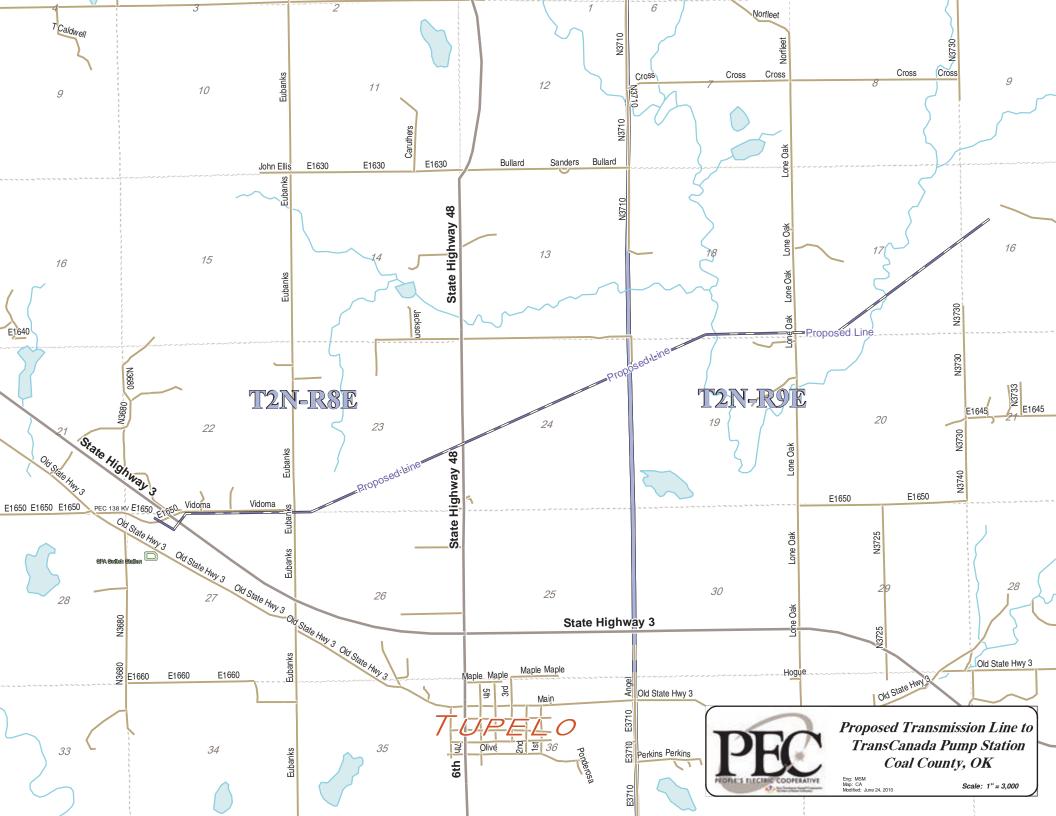
Sincerely,

John W. Hudson

Senior Vice President

Operations and Engineering

er v. Herdon





PO Box 229 333 S 7th St E Malta, MT 59538 (406) 654-2040

Serving Blaine, Phillips, & Valley Counties

September 9, 2010

Mr. John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re: Power Lines Serving Keystone XL Pipeline Pump Stations

Dear Mr. Cochnar:

Big Flat Electric Co-op., Inc, a power provider located in Malta, Montana, is providing electric service to Pump Station #9 of the Keystone XL Pipeline Project. As part of the environmental review of the Keystone XL Project, we understand certain impacts associated with the power lines being constructed by all power providers has to be reviewed and approved by the US Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act.

As such, we agree that we will consult with your office on mitigative and protective measures that can be incorporated into the design of the power line facilities in order to minimize impacts to the Whooping crane, interior least tern, and piping plover that may occur in certain specific areas along the power line corridors.

Enclosed are proposed maps of the power lines we intend to permit and build to service the Keystone XL Project. We would appreciate your comments on where the mitigative measures need to be incorporated and what measures are specifically warranted.

turne!

Sincerely,

Manager, Big Flat Electric Co-op., Inc.



ROSEBUD ELECTRIC COOPERATIVE, INCORPORATED

P.O. Box 439 512 Rosebud Avenue Gregory, SD 57533 Phone: 605-835-9624 Toll Free: 1-888-464-9304

Fax: 605-835-9649

EMAIL: rosebudelectric.com

Mr. John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re: Power Lines Serving Keystone XL Pipeline Pump Stations

Dear Mr. Cochnar:

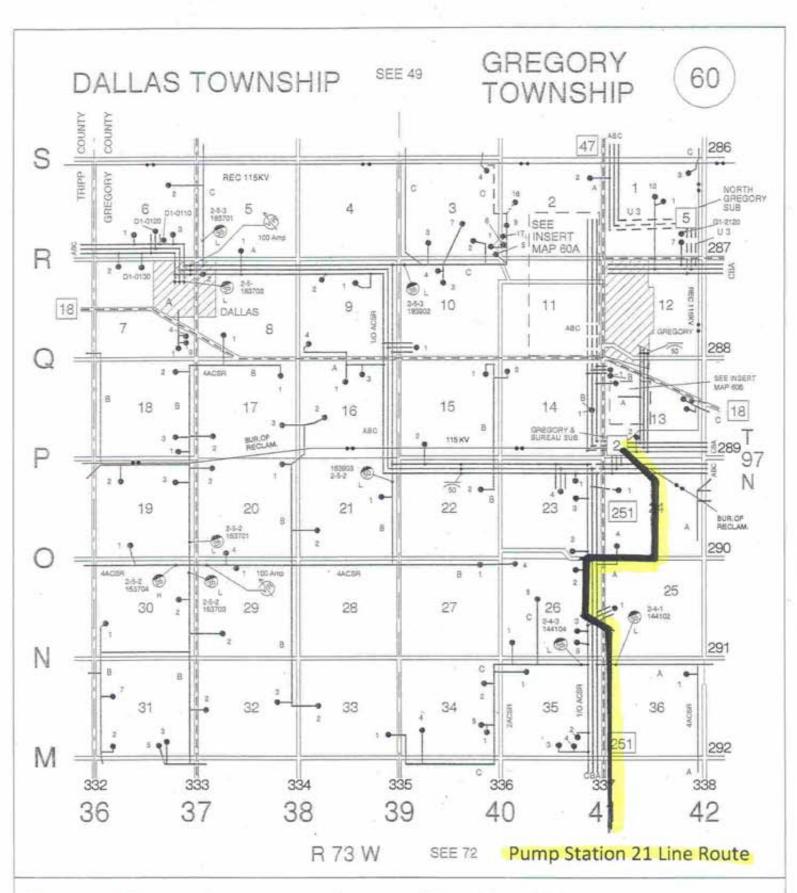
Rosebud Electric, a power provider located in Gregory SD, is providing electric service to Pump Station 20 and 21 of the Keystone XL Pipeline Project. As part of the environmental review of the Keystone XL Project, we understand certain impacts associated with the power lines being constructed by all power providers has to be reviewed and approved by the US Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act.

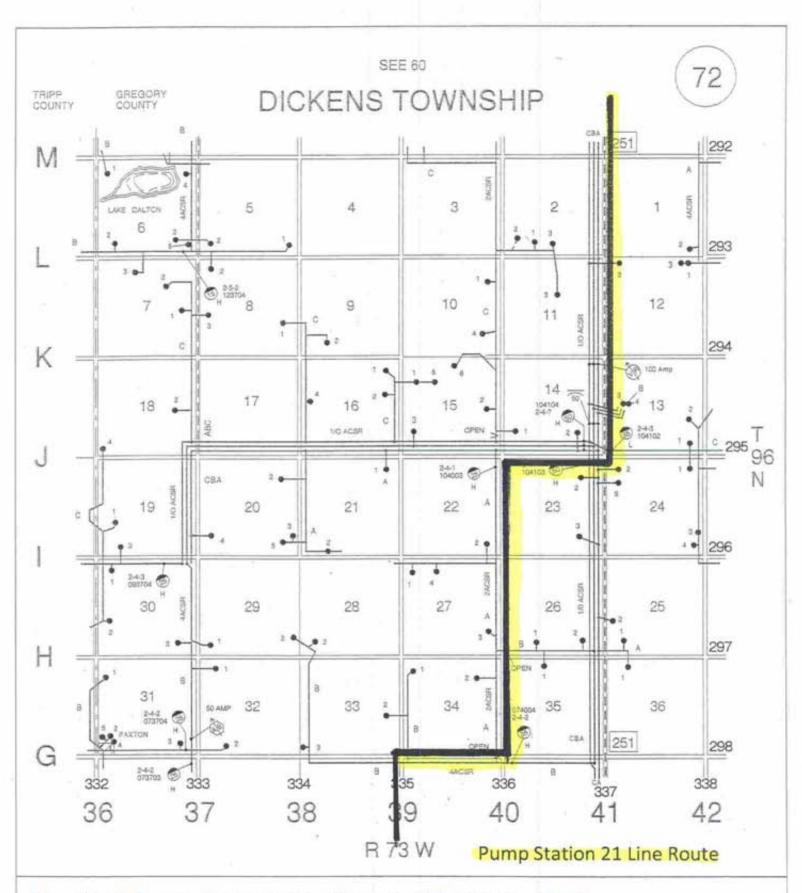
As such, we agree that we will consult with your office on mitigative and protective measures that can be incorporated into the design of the power line facilities in order to minimize impacts to the Whooping crane, interior least tern, and piping plover that may occur in certain specific areas along the power line corridors.

Enclosed are proposed maps of the power lines we intend to permit and build to service the Keystone XL Project. We would appreciate your comments on where the mitigative measures need to be incorporated and what measures are specifically warranted.

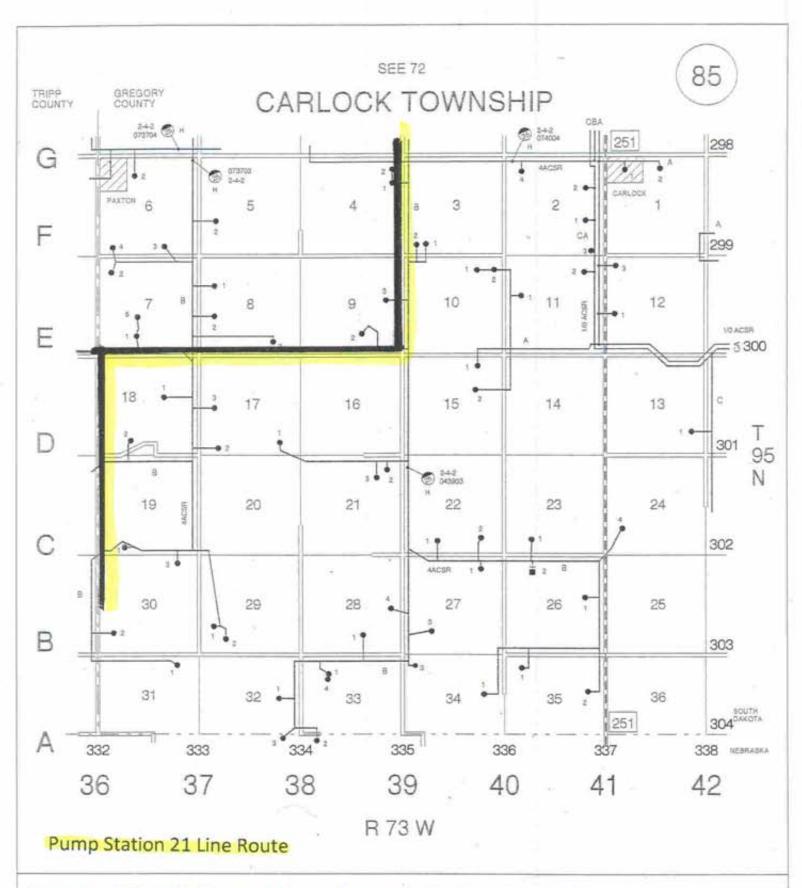
Sincerely,

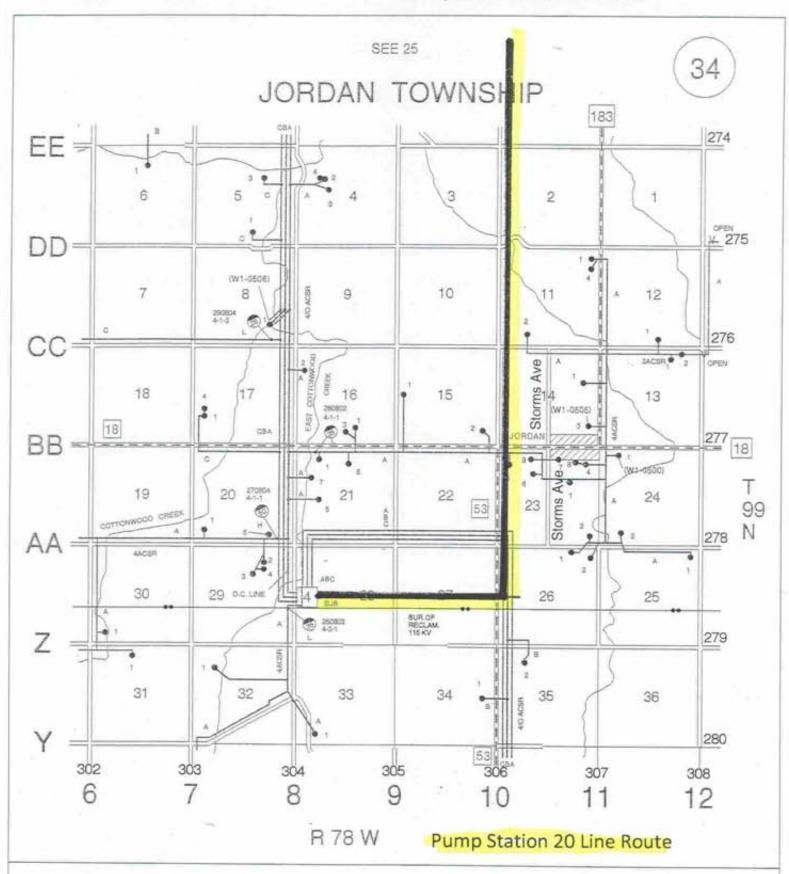
Gary Clayton, Manager Rosebud Electric Cooperative Inc.

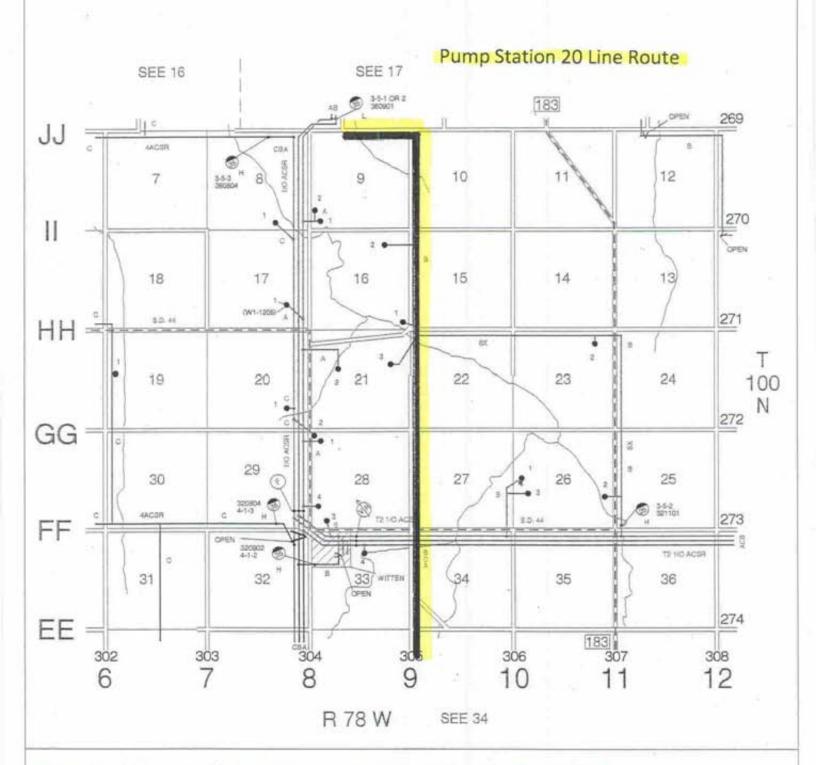


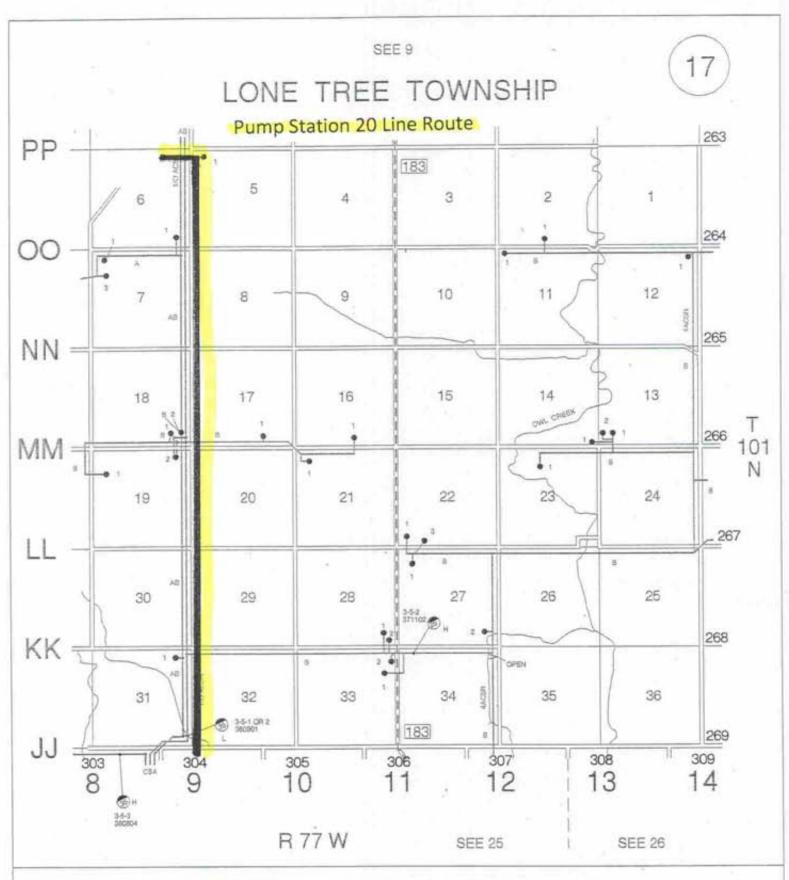


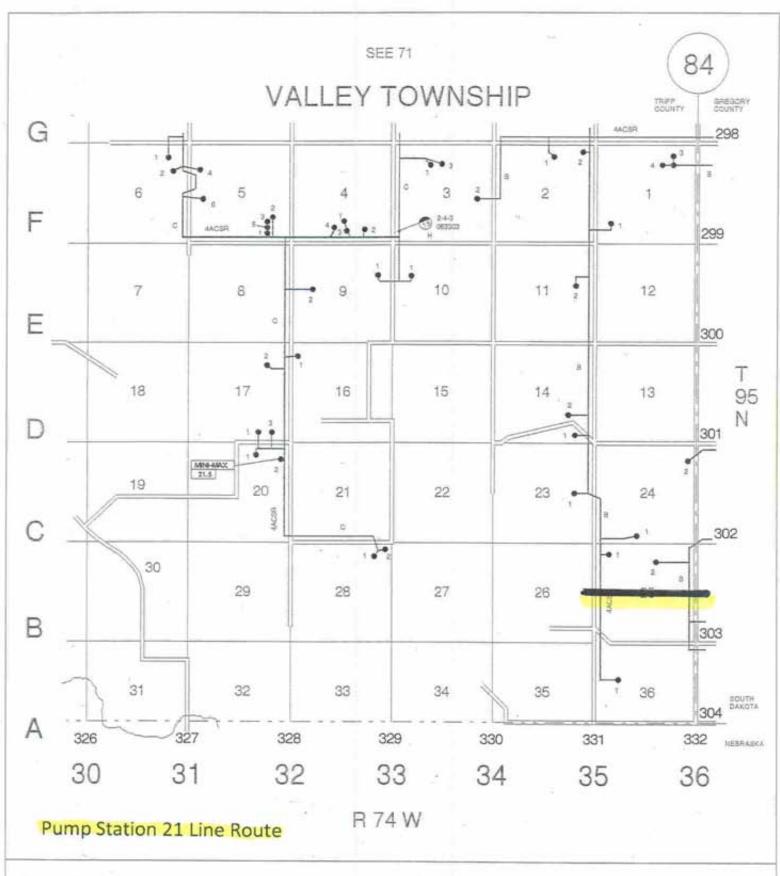
Rosebud Electric Cooperative Gregory, SD 1 Inch = 1 Mile











P.O. Box 951 Glasgow, MT 59230 Phone (406) 228-9351 Fax (406) 367-9306 P.O. Box 287 Opheim, MT 59250 Phone (406) 762-3411 Fax (406) 762-3352

September 13, 2010

Mr. John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re: Power Lines Serving Keystone XL Pipeline Pump Stations

Dear Mr. Cochnar:

NorVal Electric Cooperative, Inc., a power provider located in Glasgow, MT, is providing electric service to Pump Stations 10 and 11 of the Keystone XL Pipeline Project. As part of the environmental review of the Keystone XL Project, we understand certain impacts associated with the power lines being constructed by all power providers has to be reviewed and approved by the US Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act.

As such, we agree that we will consult with your office on mitigative and protective measures that can be incorporated into the design of the power line facilities in order to minimize impacts to the Whooping crane, interior least tern, and piping plover that may occur in certain specific areas along the power line corridors.

Enclosed are proposed maps of the power lines we intend to permit and build to service the Keystone XL Project. We would appreciate your comments on where the mitigative measures need to be incorporated and what measures are specifically warranted.

Sincerely,

Craig Herbert

General Manager

NorVal Electric Cooperative, Inc.

POINT OF INTERCONNECTION AND COOPERATIVE INTERCONNECTION FACILITIES

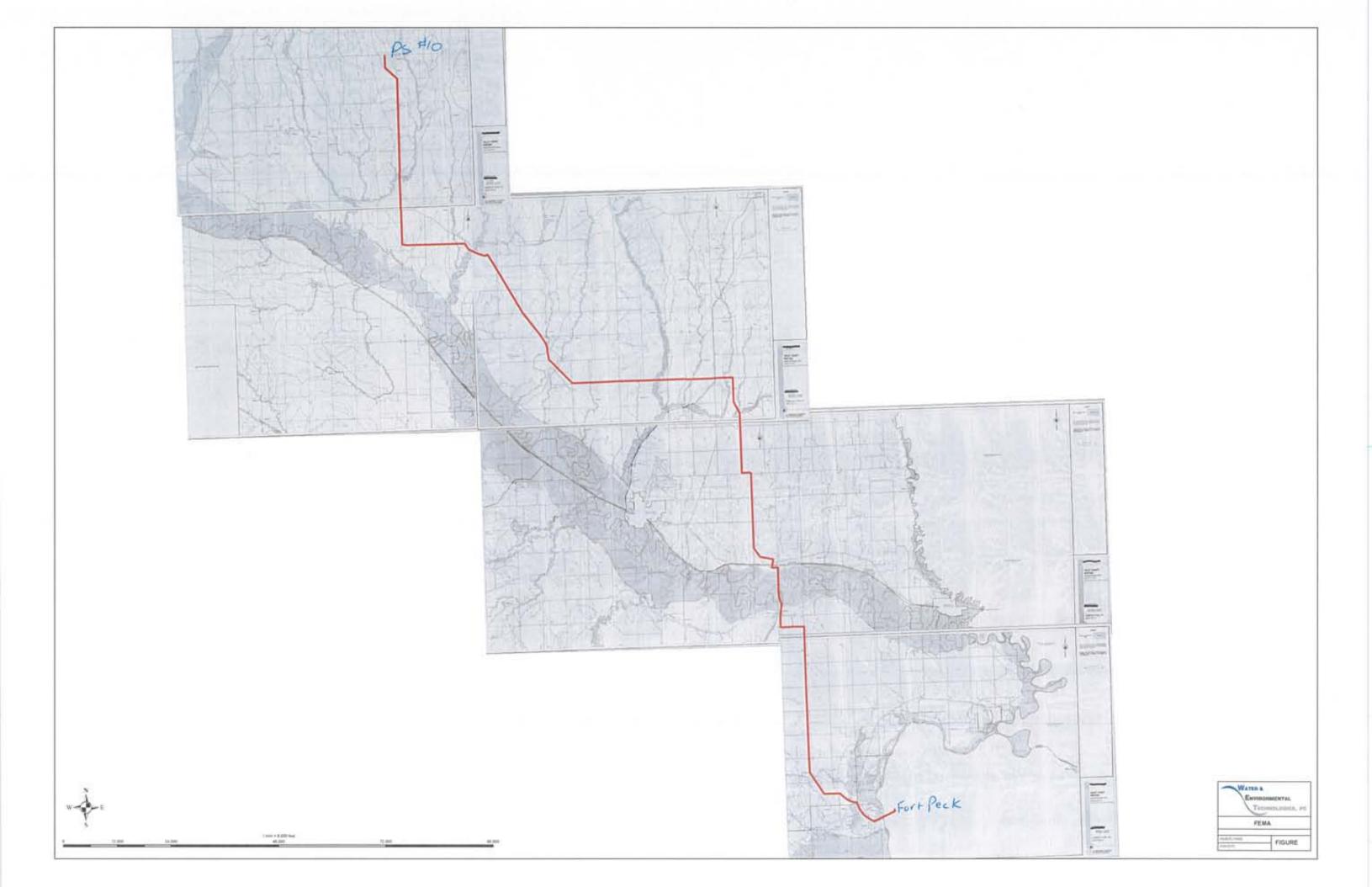
Point of Interconnection:

The Point of Interconnection between the NorVal and TransCanada Electrical Facilities at Pump Station #10 shall be at the 115/6.9 kilovolt substation, herein referred to as the Black Coulee Substation. An air break switch (ABS) on the 6.9 kV bus shall be established as the demark point between the two entities.

NorVal shall construct 51.0 miles of 115 kilovolt transmission line from the Fort Peck substation to the pump location (PS #10) located in Section 01, Township 31N, Range 37E.

The NorVal Coal Hill 230Kv / 6.9 kV substation, located at or near Customer pump station #11, and all associated substation electrical equipment required under RUS specifications and approved engineering design standards.

The NorVal 230Kv substation interconnecting the Western Area Power Administration 230 Kv line from Fort Peck to Glendive Montana. This shall be near the Customer's pump station #11 located in Township 25 North, Range 42 East, Section 01.





BILLINGS OFFICE: 3521 GABEL ROAD, BILLINGS, MONTANA 59102 • PHONE: 406-259-9933 • FAX: 406-259-3441

September 17, 2010

Mr. John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re:

Power Lines Serving Keystone XL Pipeline Pump Stations

Dear Mr. Cochnar:

Tongue River Electric Cooperative, Inc, a power provider located in Ashland, MT is providing electric service to Pump Station 13 of the Keystone XL Pipeline Project. As part of the environmental review of the Keystone XL Project, we understand certain impacts associated with the power lines being constructed by all power providers has to be reviewed and approved by the US Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act.

As such, we agree that we will consult with your office on mitigative and protective measures that can be incorporated into the design of the power line facilities in order to minimize impacts to the Whooping crane, interior least tern, and piping plover that may occur in certain specific areas along the power line corridors.

Enclosed are proposed maps of the power lines we intend to permit and build to service the Keystone XL Project. We would appreciate your comments on where the mitigative measures need to be incorporated and what measures are specifically warranted.

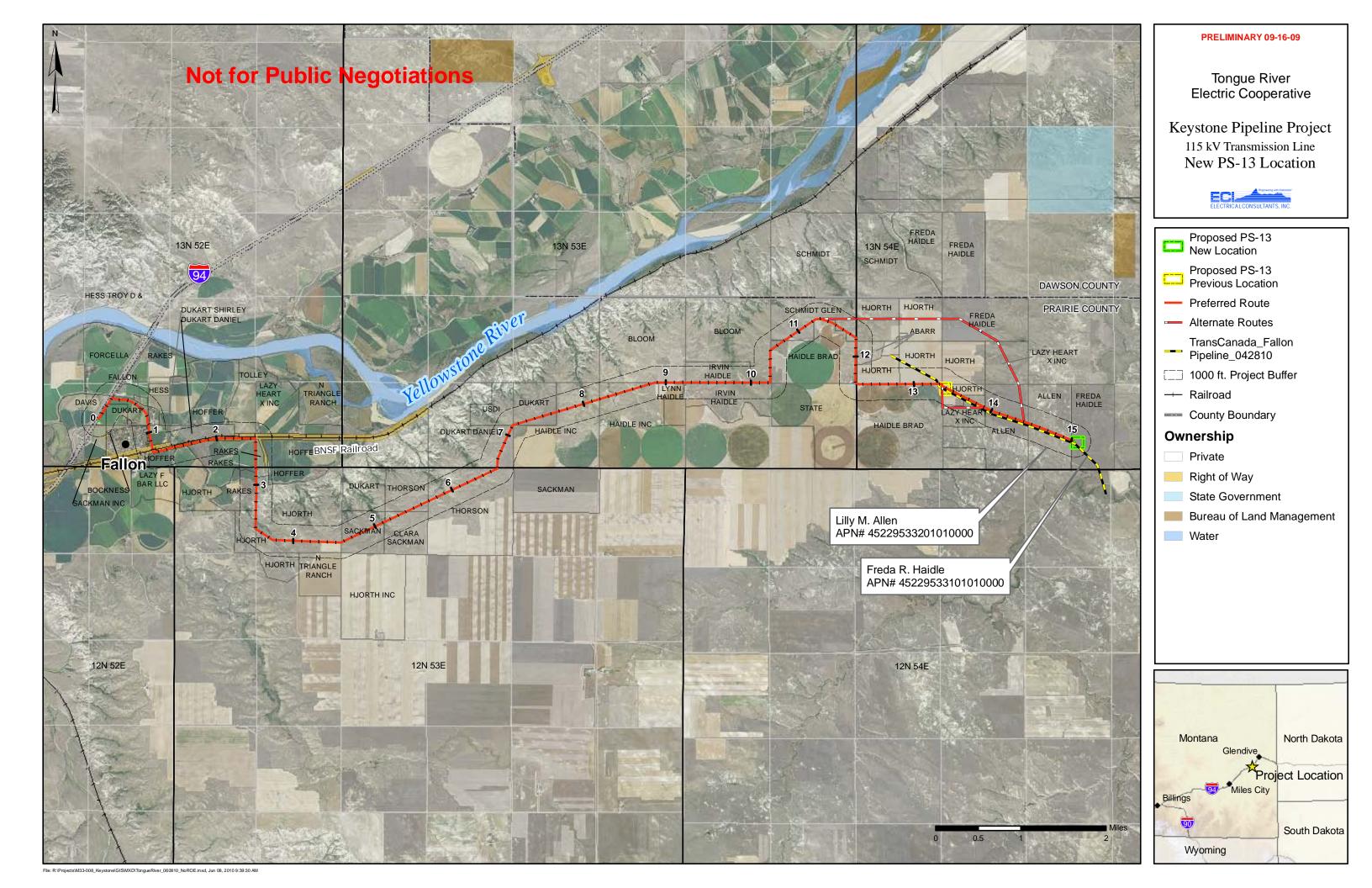
Please feel free to contact me at 406-784-2341 with any questions or comments you may have. My address is also shown below:

Tongue River Electric Cooperative PO Box 138 Ashland, MT 59003

Sincerely,

Alan See, General Manager

Tongue River Electric Cooperative





A Touchstone Energy* Cooperative

Mr. John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re: Power Lines Serving Keystone XL Pipeline Pump Stations

Dear Mr. Cochnar:

Western Farmers Electric Cooperative (WFEC), a power provider located in Oklahoma, is providing electric service to Pump Stations 33 and 35 of the Keystone XL Pipeline Project. As part of the environmental review of the Keystone XL Project, we understand certain impacts associated with the power lines being constructed by all power providers has to be reviewed and approved by the US Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act. WFEC is required to complete an Environmental Report (ER) for obtaining funding from Rural Utility Service (RUS). Completing the ER requires consultation with the USFWS.

As such, WFEC is in consultation with the USFWS field office in Tulsa, Oklahoma. WFEC has consulted with the Tulsa office on possible impacts to the whooping crane, interior least tern, and piping plover that may occur in certain specific areas along the power line corridors. In addition, WFEC has also been in consultation concerning the American burying beetle.

Enclosed are proposed maps of the power lines and substations we intend to build to service the Keystone XL Project as well as copies of the consultation letters with the Tulsa office.

If you have any questions please contact me at 405-247-4298 or by email at k_fletcher@wfec.com.

Sincerely,

Kent Fletcher

Environmental Specialist

Western Farmers Electric Cooperative

405-247-4298, Cell 405-255-3887

Copy: Larry Sibbald, Alan Derichsweiller, Scott Williams





A Touchstone Energy* Cooperative



September 1, 2010

Dr. Dixie Birch U.S. Fish and Wildlife Service 9014 East 21st Street Tulsa, OK 74129

RE:

Proposed TransCanada Substation and Tap Transmission Line Construction Section 34 - T10N - R8E

Seminole County, Oklahoma

Dear Dr. Birch,

Western Farmers Electric Cooperative (WFEC) is in the process of preparing an environmental report (ER) for the Rural Utilities Service (RUS). This report will provide details with regard to environmental impacts for the above-referenced project. Construction activities will entail clearing approximately 0.2 acre of mixed native grass pasture for a new substation and constructing 0.5 mile of electrical transmission line with a 100-foot wide right-of-way (ROW). The transmission line will feature H-frame pole structures at approximately 700-foot intervals. Attached is the vegetative cover map showing the approximate project ROW. The project area provides habitat for white-tailed deer and other small to medium-sized mammals. The area may also provide habitat for mourning doves, bobwhite quail, various songbirds, and small game species such as rabbits and squirrels.

Federally-listed species for the county include:

The interior least tern (Sterna antillarum) inhabits bare river sandbars with adjacent open reaches of river, broad sandy areas, and salt plains. The least tern leaves Oklahoma by early September and winters along the coast of Central and South America. No suitable habitat for the interior least tern was present on or in the immediate vicinity of the project ROW; therefore, this project will have no effect on the interior least tern.

The piping plover (Charadrius melodus) is a migratory shorebird which generally occupies drier portions of open sandy areas along rivers and reservoirs. No suitable habitat for the piping plover was present on or in the immediate vicinity of the project ROW; therefore, this project will have no effect on the piping plover.

The whooping crane (Grus americana) inhabits open marshes and wetlands. The species migrates between breeding grounds in the northern US and Canada and the Texas gulf coast. While the project area may be within this migration corridor, no suitable habitat for the whooping crane was present on or in the immediate vicinity of the project ROW; therefore, this project will have no effect on the whooping crane.

The American burying beetle (Nicrophorus americanus) (ABB) is an endangered insect that occurs in Oklahoma. The ABB is a nocturnal species which is generally active between May 20 and September 20. During the rest of the year, ABBs remain inactive underground. Approximately six (6) acres of suitable ABB habitat was observed within the proposed project area. During July 2010, ENERCON conducted a presence-absence survey according to USFWS guidelines. The results of the survey were positive. Based on the results of the survey, it is assumed that ABBs are present within project area. WFEC will conduct bait way efforts prior to the ABB inactive season. Because of this, the project may affect but is not likely to adversely affect the ABB.

The Arkansas River shiner (Notropis girardi) inhabits unshaded, broad, sandy, main channels of major streams and rivers. No suitable habitat for the Arkansas River shiner was present on or in the immediate vicinity of the project ROW. This project will have no effect on the Arkansas River shiner or critical habitat designated for this species.

WFEC is seeking your concurrence with the above findings.

Additional project issues:

A delineation of potential Section 404 resources (i.e. wetlands and other waters of the US) documented two small wetlands and a farm pond within the proposed project ROW. Storm water best management practices (BMPs) will be implemented prior to construction to ensure that sediment is not discharged into the receiving waters.

Federal Emergency Management Agency (FEMA) floodplain maps were reviewed for Seminole County. The proposed project area is not located within a mapped floodplain. Because of this, Seminole County Floodplain Construction Permits are not required for the proposed project.

WFEC would like to start construction on this project as soon as possible. We would appreciate your response within 30 days. If WFEC does not hear from your agency within the 30 days we will assume you have no comments regarding the project. If you have any questions or need further information please call me at (405) 247-4298 or contact me by email at k_fletcher@wfec.com.

Sincerely,

Kent Fletcher

Environmental Specialist

Copy: Eddie Childs, Kyle Power, Steve Coon

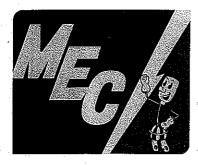
File: TransCanada Substation and Tap Transmission Line

Attachments:

Vegetative Cover Map



TransCanada Canadian Valley PS-33



McCONE ELECTRIC CO-OP., INC.

P.O. Box 368 CIRCLE, MONTANA 59215 TELEPHONE (406) 485-3430 (800) 684-3605 FAX (406) 485-3397

October 13, 2010

Mr. John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re: Power Lines Serving Keystone XL Pipeline Pump Stations

Dear Mr. Cochnar:

McCone Electric Cooperative Inc, a power provider located in Circle Montana, is providing electric service to Pump Station 12 of the Keystone XL Pipeline Project. As part of the environmental review of the Keystone XL Project, we understand certain impacts associated with the power lines being constructed by all power providers has to be reviewed and approved by the US Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act. The attached letter was reviewed and the electrical service provided by McCone is outside of the Whooping Crane Migratory Corridor, and the construction of the proposed line will not likely impact the whooping crane.

However, we would still like to consult with your office on mitigative and protective measures that can be incorporated into the design of the power line facilities in order to minimize impacts to the whooping crane, interior least tern, and piping plover that may occur in certain specific areas along the power line corridors.

Enclosed is a map showing the proposed location of the power line we intend to permit and build to service the Keystone XL Project. We would appreciate your comments on where the mitigative measures need to be incorporated and what measures are specifically warranted.

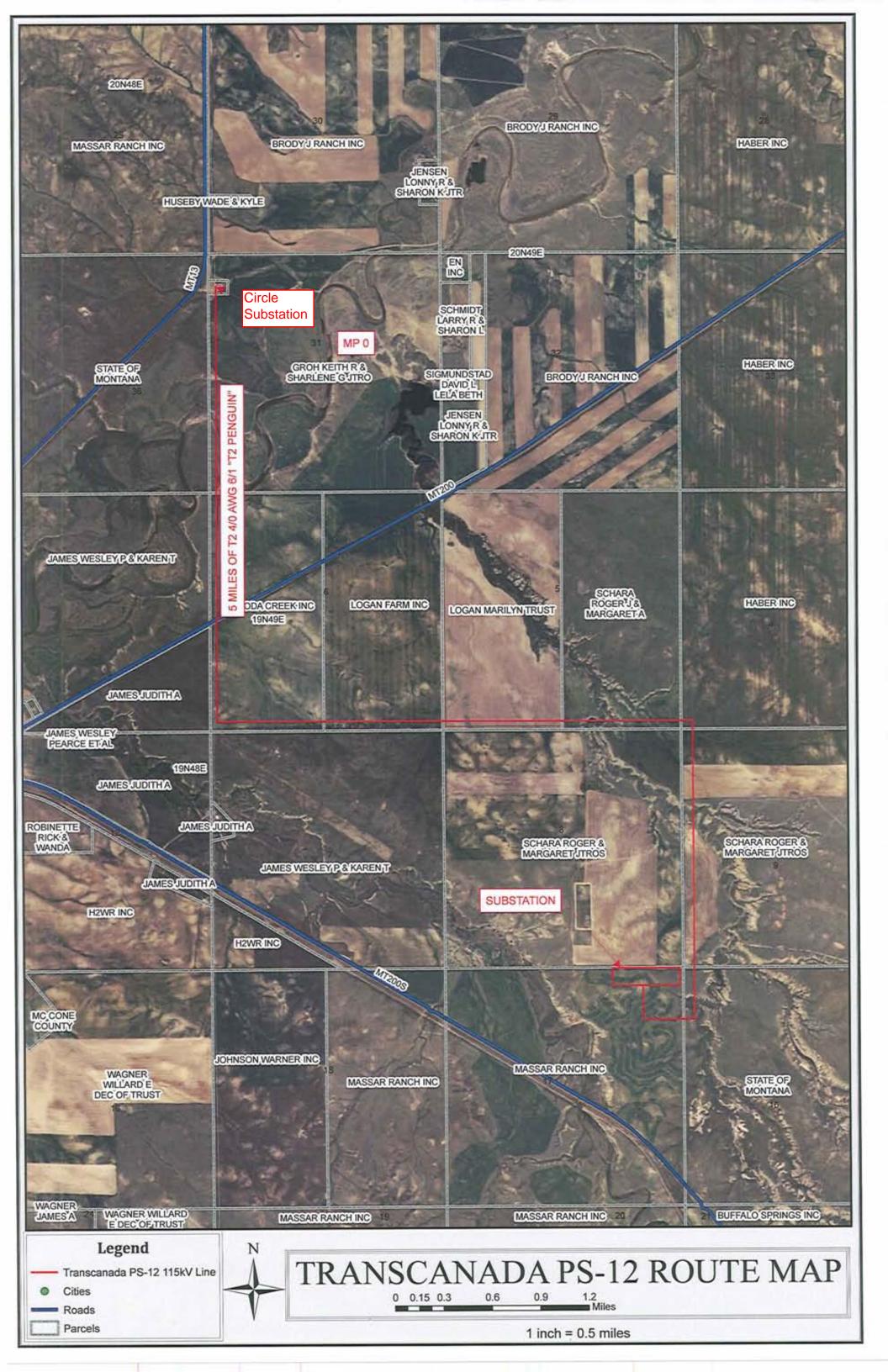
Best regards,

McCone Electric Co-op., Inc.

Mike C. Kays

General Manager

Enclosure: PS#12 Final Transmission Route Map





PO Box 17 204 Main St. Murdo SD 57559

A Touchstone Energy® Cooperative 🎽



Phone (605) 669-2472 or 1-800-242-9232 Fax (605) 669-2358 Email wcec@wce.coop

November 10, 2010

John Cochnar
Acting Field Supervisor
US Fish and Wildlife Service
203 West Second Street
Grand Island NE 68801

Re: Power Lines Serving Keystone XL Pipeline Pump Stations

Dear Mr. Cochnar:

West Central Electric Cooperative, Inc., a power provider located in Murdo, South Dakota, is providing electric service to Pump Stations 18 and 19 of the Keystone XL Pipeline Project. As part of the environmental review of the Keystone XL Project, we understand certain impacts associated with the power lines being constructed by all power providers has to be reviewed and approved by the US Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act.

As such, we agree that we will consult with your office on mitigative and protective measures that can be incorporated into the design of the power line facilities in order to minimize impacts to the Whooping crane, interior least tern, and piping plover that may occur in certain specific areas along the power line corridors.

Enclosed are proposed maps of the power lines we intend to permit and build to service the Keystone XL Project. We would appreciate your comments on where the mitigative measures need to be incorporated and what measures are specifically warranted.

Sincerely,

WEST CENTRAL ELECTRIC CO-OP., INC.

Steven J. Reed CEO/Manager

SJR:bm

OGE Energy Corp. PO Box 321

Oklahoma City, Oklahoma 73101-0321 405-553-3000

www.oge.com

October 7, 2010

OGHE

Mr. John Cochnar Acting Field Supervisor U.S. Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re: Keystone XL Pipeline Project

Dear Mr. Cochnar:

In a letter dated June 1, 2010, the United States Fish and Wildlife Service's (USFWS) Field Office in Grand Island Nebraska informed the United States Department of State that it had reviewed the latter's Draft Biological Assessment (DBA) associated with the above referenced Project. In the letter, the USFWS stated that, based on its review of the DBA, it believes that the Project may affect and is likely to adversely affect the Whooping Crane, Least Tern, Piping Plover and Western Prairie Fringed Orchid based on the proposed installation of overhead power lines that will provide electrical service to the various pump stations to be located along the pipeline's route.

This is to inform you that OGE Energy Corp. will be providing electric service to one such pump station (i.e. Pump Station No. 32) to be located near Cushing, Oklahoma. In order to provide electrical service to the pump station, overhead power lines will be installed. In that regard, OGE agrees to consult with the USFWS's field office in Tulsa, Oklahoma regarding any mitigative or protective measures that can be incorporated into the design of the power lines in order to minimize their impact on the Whooping Crane, Interior Least Tern and Piping Plover along the power line's corridor.

Once the line route has been finalized, a map depicting the same will be provided to the Tulsa field office. In the meantime, should you have any questions concerning OGE's involvement in the project, feel free to call me at (405) 553-3177.

Sincerely,

Kenneth E. Raymond

Sr. Env. Regulatory Analyst Corp. Env., Health & Safety

OGE Energy Corp.

WM1938



November 12, 2010

John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Dear Mr. Cochnar,

This letter is sent to assure you of Westar Energy's intent to comply with USF&WS regulations in our construction of lines associated with the Keystone XL Pipeline Project in Kansas. We routinely work with Dan Mulhern and Mike LeValley of your Ecological Services office in Manhattan, Kansas. If you have questions or concerns, please don't hesitate to contact me.

Sincerely,

Brad Loveless

Director, Biology & Cons. Programs

Westar Energy

cc: Stacy Kramer, Westar Energy - Larry Sibbald, Trans Canada

File: ENV705.1211



Always there when you need us

September 14, 2010

Mr. John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re:

Nebraska Public Power District Transmission Lines

(Keystone XL Pipeline Pump Stations #22, #23, and #24)

Dear Mr. Cochnar:

It is Nebraska Public Power Districts (NPPD) understanding that as a result of recent conversations between the USFWS and TransCanada that each power provider associated with the Keystone XL Project is being asked to provide USFWS with a letter indicating the willingness of power providers to work with USFWS regarding threatened and endangered species.

Nebraska Public Power District (NPPD) is a supplier of retail and wholesale electric service in Nebraska. Pump stations associated with the Keystone XL Project will require electric service and will represent significant electric loads to the local electric service provider. While NPPD will not be providing electric service directly to these pump stations at a retail level, NPPD will provide electric service to NPPD wholesale customers, who in turn will provide electric service to the pump stations. In order for the wholesale customers to provide reliable electric service to Keystone XL Pump Stations #22, #23, and #24, NPPD must construct additional 115 kV transmission lines. Accordingly, NPPD has established three separate 115 kV transmission line projects.

NPPD follows a very structured route identification and selection process with an emphasis on public involvement, including coordination with various agencies that may have jurisdiction in the line route study areas. For these three transmission line projects, the route selection process was initiated by NPPD in June 2009. NPPD held initial meetings with the Nebraska Game and Parks Commission (NGPC) and the US Fish & Wildlife Service (USFWS) to provide an overview of the projects and to begin discussions regarding threatened and endangered species in July 2009. At that time, primary points of contact with the NGPC (Michelle Koch) and the USFWS (Bob Harms) were also established. NPPD continued to coordinate with the NGPC and the USFWS at each step of the line route selection process including identification of line route corridors, alternate line routes and final route selection. Line routes for these three projects were finalized in early September 2010.

NPPD has demonstrated its commitment to coordinate and consult with the USFWS and the NGPC to address impacts of these three transmission line projects during route selection. Copies of letters NPPD received from both the NGPC and the USFWS related to these projects which demonstrate NPPD's coordination efforts are attached. NPPD is committed to continue such coordination with both agencies regarding measures that may need to be incorporated into the design and/or construction of the transmission lines to address potential impacts to threatened and endangered species that may occur in certain specific areas along the line routes. Prior to the beginning of construction, NPPD, the NGPC and the USFWS will determine and agree upon what measures are specifically warranted for each line route.

Copies of maps showing the routes for the 115 kV transmission lines to be built to service Keystone XL Project pump stations #22, #23 and #24 are enclosed.

Please contact me at 402-563-5355 if you have any questions or require additional information.

Sincerely,

Joe L. Citta, Jr.

Environmental Manager

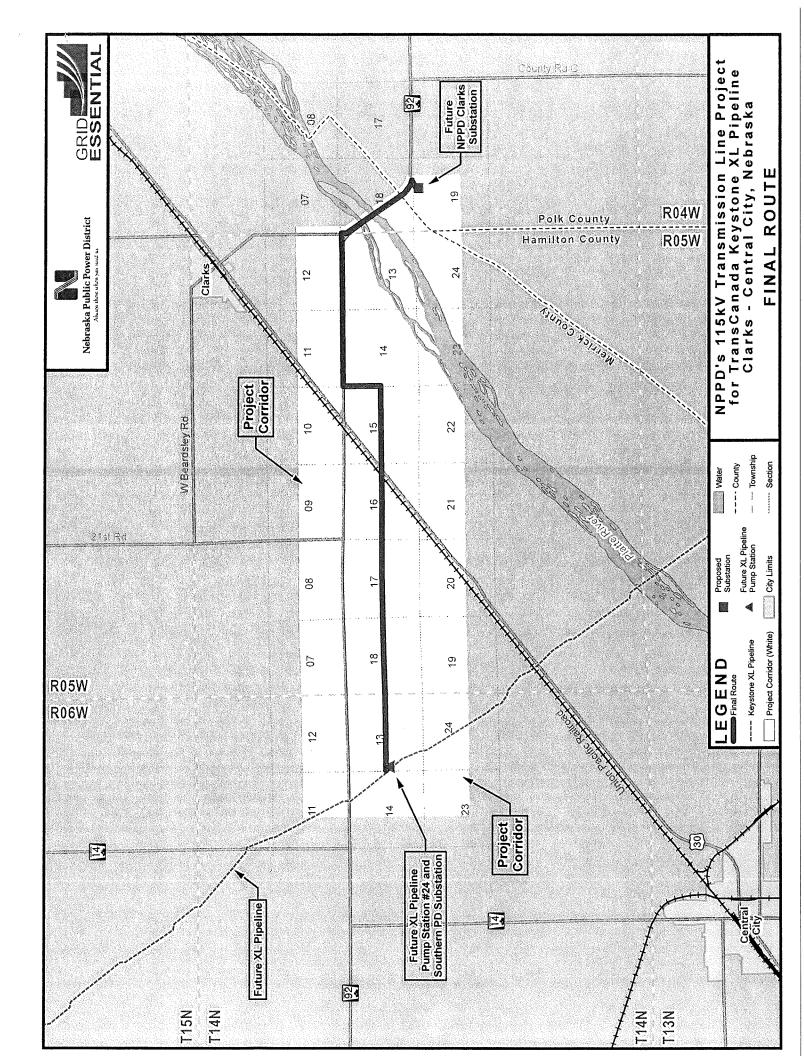
Attachments

Cc: Robert Harms (USFWS)

Michelle Koch (NGPC)

Larry Sibbald (TransCanada)

Don Veseth (NPPD)





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services Nebraska Field Office 203 West Second Street Grand Island, Nebraska 68801

June 1, 2010

Mr. Joe L. Citta
Corporate Environmental Manager
Nebraska Public Power District
1414 15th Street
PO Box 499
Columbus, NE 68602-0499

Dear Mr. Citta:

Please make reference to a letter from the Nebraska Public Power District (NPPD) dated May 10, 2010, which summarized discussions at a recent April 7, 2010, meeting about a proposed 115 kV transmission line construction project extending from Clarks to Central City, Nebraska. As you know, representatives of the NPPD, U.S. Fish and Wildlife Service, and Nebraska Game and Parks Commission previously met on several occasions during the planning phases of this project to identify and discuss potential threatened and endangered species impacts. We acknowledge and commend NPPD's commitment to continue coordination with us to address potential impacts to these species. Measures to address and/or avoid potential impacts include species surveys and potential temporal avoidance in areas which provide suitable habitat. Implementation of agreed upon measures where suitable habitat is present along the final line route would satisfactorily address impacts to threatened and endangered species.

We appreciate the opportunity to review and comment on the proposed transmission line project and NPPD's willingness to involve the resource agencies throughout project planning. If you have any questions regarding these comments, please contact Mr. Robert Harms of this office at Robert_Harms@fws.gov or telephone number (308) 382-6468, extension 17.

Sincerely,

John Cochnar

Acting Nebraska Field Supervisor

John Cockna



Nebraska Game and Parks Commission

2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-0641 • Fax: 402-471-5528

June 10, 2010

Sara Hayek Nebraska Power Review Board 301 Centennial Mall South, 5th Floor Lincoln, NE 68509

Re: Application No. PRB-3629, Clarks to Central City, 9 miles of 115 kV transmission line, Merrick and Polk Counties, Nebraska

Dear Ms. Hayek:

Please make reference to your letter dated May 24, 2010. This letter is in response to your request for a review of this project's potential impacts to threatened and endangered species in Merrick and Polk Counties in Nebraska. As we understand it, the project involves constructing 9 miles of 115 kV line to provide an energy source for the TransCanada Keystone XL Pipeline Pumping Station (PS-24). We have completed our review of the proposed sites under Neb. Rev. Stat. § 37-807 (3) of the Nongame and Endangered Species Conservation Act and we offer the following comments.

Staff from the Nebraska Game and Parks Commission (NGPC) and the Nebraska Public Power District (NPPD) have had numerous meetings dating back to July 2009 to discuss the Clarks to Central City transmission line project. Staff from the U.S. Fish and Wildlife Service, Nebraska Field Office, Grand Island, was also present at those meetings. Through the course of these meetings, NPPD has narrowed the project from the initial study area to corridors to preferred and alternative routes. At each of these phases, NGPC has advised NPPD on potential impacts to threatened and endangered species as well as other species protected under federal laws, such as the Migratory Bird Treat Act and the Bald and Golden Eagle Protection Act. NPPD has incorporated this information into the routing process to try to avoid impacts to threatened and endangered species and their habitats when possible.

The project corridor and preferred and alternative routes for this project are within the range of the following state listed threatened and endangered species:

Whooping Crane (Grus americana) – state and federal endangered Interior Least Tern (Sternula antillarum athalassos) – state and federal endangered Piping Plover (Charadrius melodus) – state and federal threatened Western Prairie Fringed Orchid (Platanthera praeclara) – state and federal threatened Small White Lady's Slipper (Cypripedium candidum) – state threatened River Otter (Lutra canadensis) – state threatened

Through the aforementioned discussions, NPPD has agreed to determine if suitable habitat for each of these species is present within the area that will be impacted by construction activities. If suitable habitat is present, then NPPD will conduct additional surveys to determine if these species are present. In the event one or more of these species are present, then NGPC and NPPD will cooperatively develop conservation measures to address potential impacts.



Since NPPD has taken the appropriate steps through the consultation process to avoid adverse impacts to threatened and endangered species, we have no objection to the selected corridor or the routes within the corridor. Additionally, NPPD has committed to continued coordination with our agency as the final route is selected and constructed. They have agreed to mark certain portions of the line with bird diverters if necessary and to conduct appropriate surveys for the threatened and endangered species listed above.

Therefore, we have determined this project "may affect but is not likely to adversely affect" state-listed threatened or endangered species. We made this determination based on discussions and meetings with NPPD, the continued commitment to coordinate with our agency, a review of the material you sent, aerial photographs, topographic maps and our Nebraska Natural Heritage Database.

Based upon the submitted information, we have no objection to the proposal as currently planned. If the proposed project is changed or new information regarding threatened or endangered species becomes available, then this determination is no longer valid and further consultation with the Nebraska Game and Parks Commission will be necessary.

All federally listed threatened and endangered species are also state listed. For assessment of potential impacts on federally listed, candidate or proposed threatened or endangered species, please contact John Cochnar, Nebraska Field Office, U.S. Fish and Wildlife Service, 203 W. Second St., Grand Island, NE 68801.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me.

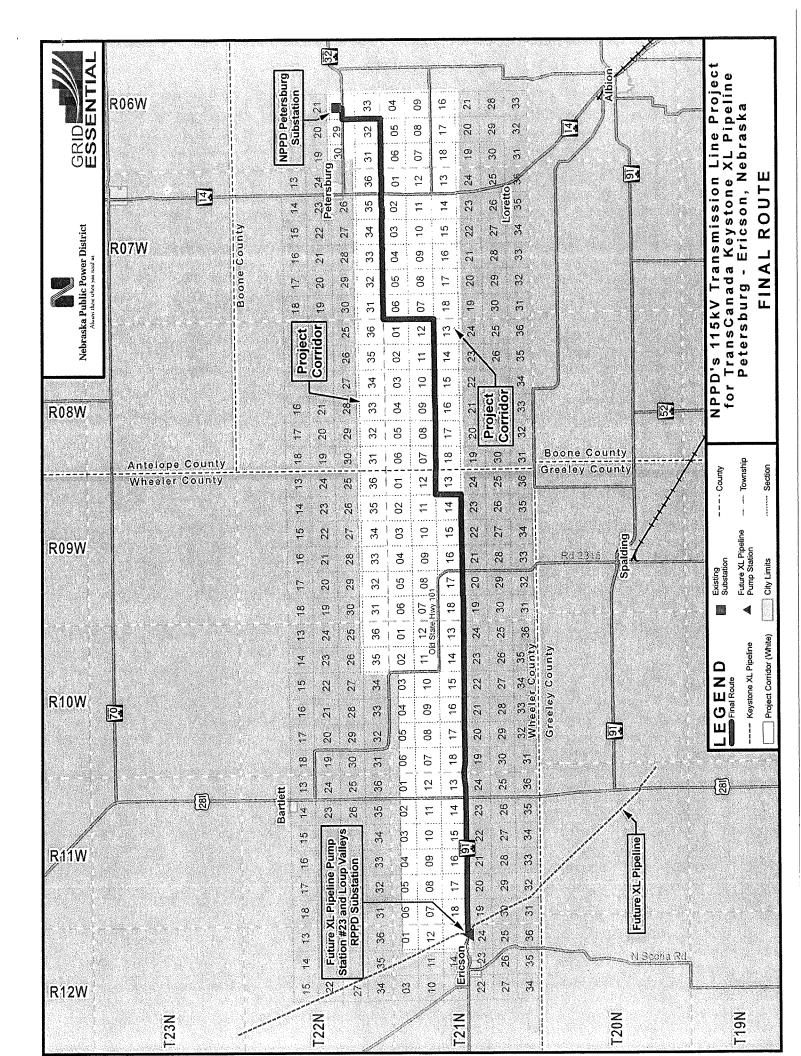
Sincerely,

Michelle R. Koch

Environmental Analyst Supervisor Nebraska Natural Heritage Program Nebraska Game and Parks Commission (402) 471-5438, michelle.koch@nebraska.gov

Michelle RKoch

CC: John Cochnar, USFWS Robert Harms, USFWS Joe Citta, NPPD Larry Linder, NPPD





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services Nebraska Field Office 203 West Second Street Grand Island, Nebraska 68801

June 1, 2010

Mr. Joe L. Citta Corporate Environmental Manager Nebraska Public Power District 1414 15th Street PO Box 499 Columbus, NE 68602-0499

Dear Mr. Citta:

Please make reference to a letter from the Nebraska Public Power District (NPPD) dated May 10, 2010, which summarized discussions at a recent April 7, 2010, meeting about a proposed 115 kV transmission line construction project extending from Petersburg to Ericson, Nebraska. As you know, representatives of the NPPD, U.S. Fish and Wildlife Service, and Nebraska Game and Parks Commission previously met on several occasions during the planning phases of this project to identify and discuss potential threatened and endangered species impacts. We acknowledge and commend NPPD's commitment to continue coordination with us to address potential impacts to these species. Measures to address and/or avoid potential impacts include species surveys, habitat avoidance, and capture/relocation procedures in areas which provide suitable habitat. Implementation of agreed upon measures where suitable habitat is present along the final line route would satisfactorily address impacts to threatened and endangered species.

We appreciate the opportunity to review and comment on the proposed transmission line project and NPPD's willingness to involve the resource agencies throughout project planning. If you have any questions regarding these comments, please contact Mr. Robert Harms of this office at Robert_Harms@fws.gov or telephone number (308) 382-6468, extension 17.

Sincerely,

John Cochnar

Acting Nebraska Field Supervisor

John Cochon



Nebraska Game and Parks Commission

2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-0641 • Fax: 402-471-5528

June 10, 2010

Sara Hayek Nebraska Power Review Board 301 Centennial Mall South, 5th Floor Lincoln, NE 68509

Re: Application No. PRB-3628, Petersburg to Ericson, 37 miles of 115 kV transmission line, Boone and Wheeler Counties, Nebraska

Dear Ms. Hayek:

Please make reference to your letter dated May 24, 2010. This letter is in response to your request for a review of this project's potential impacts to threatened and endangered species in Boone and Wheeler Counties in Nebraska. As we understand it, the project involves constructing 37 miles of 115 kV line to provide an energy source for the TransCanada Keystone XL Pipeline Pumping Station (PS-23). We have completed our review of the proposed sites under Neb. Rev. Stat. § 37-807 (3) of the Nongame and Endangered Species Conservation Act and we offer the following comments.

Staff from the Nebraska Game and Parks Commission (NGPC) and the Nebraska Public Power District (NPPD) have had numerous meetings dating back to July 2009 to discuss the Petersburg to Ericson transmission line project. Staff from the U.S. Fish and Wildlife Service, Nebraska Field Office, Grand Island, was also present at those meetings. Through the course of these meetings, NPPD has narrowed the project from the initial study area to corridors to preferred and alternative routes. At each of these phases, NGPC has advised NPPD on potential impacts to threatened and endangered species as well as other species protected under federal laws, such as the Migratory Bird Treat Act and the Bald and Golden Eagle Protection Act. NPPD has incorporated this information into the routing process to try to avoid impacts to threatened and endangered species and their habitats when possible,

The project corridor and preferred and alternative routes for this project are within the range of the following state listed threatened and endangered species:

American Burying Beetle (Nicrophorus americanus) – state and federal endangered Whooping Crane (Grus americana) – state and federal endangered Western Prairie Fringed Orchid (Platanthera praeclara) – state and federal threatened Small White Lady's Slipper (Cypripedium candidum) – state threatened

Through the aforementioned discussions, NPPD has agreed to determine if suitable habitat for each of these species is present within the area that will be impacted by construction activities. If suitable habitat is present, then NPPD will conduct additional surveys to determine if these species are present. In the event one or more of these species are present, then NGPC and NPPD will cooperatively develop conservation measures to address potential impacts.

Since NPPD has taken the appropriate steps through the consultation process to avoid adverse impacts to threatened and endangered species, we have no objection to the selected corridor or the routes within the corridor. Additionally, NPPD has committed to continued coordination with our agency as the final route is



selected and constructed. They have agreed to mark certain portions of the line with bird diverters if necessary and to conduct appropriate surveys for the threatened and endangered species listed above.

Therefore, we have determined this project "may affect but is not likely to adversely affect" state-listed threatened or endangered species. We made this determination based on discussions and meetings with NPPD, the continued commitment to coordinate with our agency, a review of the material you sent, aerial photographs, topographic maps and our Nebraska Natural Heritage Database.

Based upon the submitted information, we have no objection to the proposal as currently planned. If the proposed project is changed or new information regarding threatened or endangered species becomes available, then this determination is no longer valid and further consultation with the Nebraska Game and Parks Commission will be necessary.

All federally listed threatened and endangered species are also state listed. For assessment of potential impacts on federally listed, candidate or proposed threatened or endangered species, please contact John Cochnar, Nebraska Field Office, U.S. Fish and Wildlife Service, 203 W. Second St., Grand Island, NE 68801.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me.

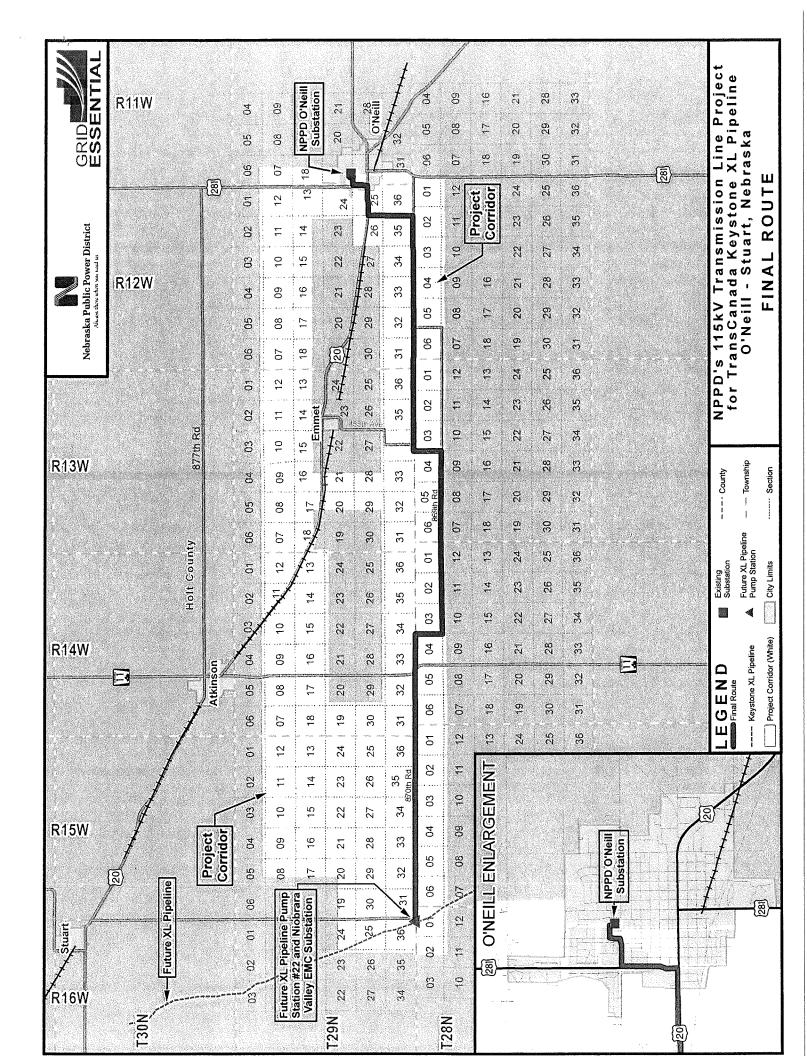
Sincerely,

Michelle R. Koch

Environmental Analyst Supervisor Nebraska Natural Heritage Program Nebraska Game and Parks Commission (402) 471-5438, michelle.koch@nebraska.gov

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CC: John Cochnar, USFWS Robert Harms, USFWS Joe Citta, NPPD Larry Linder, NPPD





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FISH AND WILDLIFE SERVICE

Ecological Services Nebraska Field Office 203 West Second Street Grand Island, Nebraska 68801

June 1, 2010

Mr. Joe L. Citta Corporate Environmental Manager Nebraska Public Power District 1414 15th Street PO Box 499 Columbus, NE 68602-0499

Dear Mr. Citta:

cc:

Please make reference to a letter from the Nebraska Public Power District (NPPD) dated May 10, 2010, which summarized discussions at a recent April 7, 2010, meeting about a proposed 115 kV transmission line construction project extending from O'Neill to Stuart, Nebraska. As you know, representatives of the NPPD, U.S. Fish and Wildlife Service, and Nebraska Game and Parks Commission previously met on several occasions during the planning phases of this project to identify and discuss potential threatened and endangered species impacts. We acknowledge and commend NPPD's commitment to continue coordination with us to address potential impacts to these species. Measures to address and/or avoid potential impacts include species surveys, habitat avoidance, and capture/relocation procedures in areas which provide suitable habitat. Implementation of agreed upon measures where suitable habitat is present along the final line route would satisfactorily address impacts to threatened and endangered species.

We appreciate the opportunity to review and comment on the proposed transmission line project and NPPD's willingness to involve the resource agencies throughout project planning. If you have any questions regarding these comments, please contact Mr. Robert Harms of this office at Robert_Harms@fws.gov or telephone number (308) 382-6468, extension 17.

Sincerely,

John Cochnar

Acting Nebraska Field Supervisor

John Cochina

NGPC; Lincoln, NE (Attn: Michelle Koch)



Nebraska Game and Parks Commission

2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-0641 • Fax: 402-471-5528

June 10, 2010

Sara Hayek Nebraska Power Review Board 301 Centennial Mall South, 5th Floor Lincoln, NE 68509

Re: Application No. PRB-3627, O'Neill to Stuart, 28 miles of 115 kV transmission line, Holt County, Nebraska

Dear Ms. Hayek:

Please make reference to your letter dated May 24, 2010. This letter is in response to your request for a review of this project's potential impacts to threatened and endangered species in Holt County, Nebraska. As we understand it, the project involves constructing 28 miles of 115 kV line to provide an energy source for the TransCanada Keystone XL Pipeline Pumping Station (PS-22). We have completed our review of the proposed sites under Neb. Rev. Stat. § 37-807 (3) of the Nongame and Endangered Species Conservation Act and we offer the following comments.

Staff from the Nebraska Game and Parks Commission (NGPC) and the Nebraska Public Power District (NPPD) have had numerous meetings dating back to July 2009 to discuss the O'Neill to Stuart transmission line project. Staff from the U.S. Fish and Wildlife Service, Nebraska Field Office, Grand Island, was also present at those meetings. Through the course of these meetings, NPPD has narrowed the project from the initial study area to corridors to preferred and alternative routes. At each of these phases, NGPC has advised NPPD on potential impacts to threatened and endangered species as well as other species protected under federal laws, such as the Migratory Bird Treat Act and the Bald and Golden Eagle Protection Act. NPPD has incorporated this information into the routing process to try to avoid impacts to threatened and endangered species and their habitats when possible.

The project corridor and preferred and alternative routes for this project are within the range of the following state listed threatened and endangered species:

American Burying Beetle (Nicrophorus americanus) – state and federal endangered Whooping Crane (Grus americana) – state and federal endangered Western Prairie Fringed Orchid (Platanthera praeclara) – state and federal threatened Small White Lady's Slipper (Cypripedium candidum) – state threatened River Otter (Lutra canadensis) – state threatened

Through the aforementioned discussions, NPPD has agreed to determine if suitable habitat for each of these species is present within the area that will be impacted by construction activities. If suitable habitat is present, then NPPD will conduct additional surveys to determine if these species are present. In the event one or more of these species are present, then NGPC and NPPD will cooperatively develop conservation measures to address potential impacts.

Since NPPD has taken the appropriate steps through the consultation process to avoid adverse impacts to threatened and endangered species, we have no objection to the selected corridor or the routes within the corridor. Additionally, NPPD has committed to continued coordination with our agency as the final route is



constructed. They have agreed to mark certain portions of the line with bird diverters if necessary and to conduct appropriate surveys for the threatened and endangered species listed above.

Therefore, we have determined this project "may affect but is not likely to adversely affect" state-listed threatened or endangered species. We made this determination based on discussions and meetings with NPPD, the continued commitment to coordinate with our agency, a review of the material you sent, aerial photographs, topographic maps and our Nebraska Natural Heritage Database.

Based upon the submitted information, we have no objection to the proposal as currently planned. If the proposed project is changed or new information regarding threatened or endangered species becomes available, then this determination is no longer valid and further consultation with the Nebraska Game and Parks Commission will be necessary.

All federally listed threatened and endangered species are also state listed. For assessment of potential impacts on federally listed, candidate or proposed threatened or endangered species, please contact John Cochnar, Nebraska Field Office, U.S. Fish and Wildlife Service, 203 W. Second St., Grand Island, NE 68801.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Miduelle Rhade

Michelle R. Koch

Environmental Analyst Supervisor Nebraska Natural Heritage Program

Nebraska Game and Parks Commission

(402) 471-5438, michelle.koch@nebraska.gov

CC: John Cochnar, USFWS Robert Harms, USFWS Joe Citta, NPPD

Larry Linder, NPPD

PUBLIC UTILITIES COMMISSION

CITY OF CLAY CENTER

MUNICIPAL ELECTRIC & WATER

MICHAEL FLOERSCH, Chairman GARY GRIFFITHS, Commissioner DONALD BUTTON, Commissioner BILL CALLAWAY, Superintendent

mailed 9/14/10 lh 427 Court Street P.O. Box 117 Clay Center, Kansas 67432 (785) 632-2137 Fax (785) 632-6317

Email: bcpuc@nckcn.com

September 14, 2010

Mr. John Cochnar Acting Field Supervisor US Fish and Wildlife Service 203 West Second Street Grand Island, NE 68801

Re: Power Lines Serving Keystone XL Pipeline Pump Stations

Dear Mr. Crochnar:

Clay Center Public Utilities Commission, a power provider located in Clay Center, Kansas, is providing electric service to Pump Station 27 of the Keystone XL Pipeline Project. As part of the environmental review of the Keystone XL Project, we understand certain impacts associated with the power lines being constructed by all power providers has to be reviewed and approved by the US Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act.

As such, we agree that we will consult with your office on mitigative and protective measures that can be incorporated into the design of the power line facilities in order to minimize impacts to the Whooping crane, interior least tern, and piping plover that may occur in certain specific areas along the power line corridors.

Enclosed are proposed maps of the power lines we intend to permit and build to service the Keystone XL Project. We would appreciate your comments on where the mitigative measures need to be incorporated and what measures are specifically warranted.

Sincerely,

Bill Callaway Supt. of Utilities

Clay Center Public Utilities Commission

OCT 1 2010

October 14, 2010

U.S. FISH & WILDLIFE SPRINGS

U.S. Fish and Wildlife Service Attn: Scott Larson, Field Supervisor 420 South Garfield, Suite 400 Pierre, SD 57501-5408

RE: Grand Electric Cooperative, Inc. PS15, PS16 and PS17 TransCanada Facilities Construction Work Plan (CWP) and Borrower's Environmental Report (BER)

Dear Mr. Larson:

Electrical Consultants, Inc. (ECI) is currently assisting Grand Electric Cooperative, Inc. (GEC) with their Construction Work Plan (CWP) and Borrower's Environmental Report (BER) for the PS15, PS16 and PS17 TransCanada Facilities proposed projects located in Harding, Perkins and Meade County, South Dakota. Both the CWP and BER are documents required and requested by the USDA Rural Utilities Service/RUS for funding purposes. As part of this process, we are in need of your agencies comments and/or recommendations with regards to any mitigation measures concerning the identified work.

To better assist you in your review, I've enclosed a GEC CWP Improvements List and other pertinent map(s) showing potential resources of concern with GEC's Service Areas for each of the CWP Substation Service Areas and the projects proposed within each area.

If possible, we would appreciate your comments concerning the proposed construction within thirty (30) days or no later than November 9, 2010. If I've not contacted the correct individual for this request, please inform me so I may forward this information onto that person or department.

If you have no comments, please mail, fax or email a letter stating "no comments". If you have any questions or need additional information, please contact me at (406) 259-9933.

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Assistant Environmental Planner

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CWP Project Code	Improvement Descriptions
	GEC'S PROPOSED PUMP STATION 15 (PS15)
217*	This project consists of building 1.9 miles of single phase 14.4 kV, #2 ACSR overhead distribution line. This new build project starts at the proposed new PS15 Substation, (see proposed CWP Project #401 below) which location is planned for design in north east corner of Section 21, this project then travels east for approximately 1.10 miles then heads north for approximately 0.8 miles crossing the Wagoneer Creek. This project is located in Sections 16 and 15 in Harding County, SD
329*	This project consists of rebuilding 3.0 miles of 3 phase 24.9 kV, #4/0 ACSR overhead distribution line with 3 phase #4/0 underground (URD) distribution line. This rebuild starts at the existing transmission line at MP 0 and travels west along County Highway 797 for approximately 2.0 miles then heads directly north for 1.0 mile between Section 1 and Section 6 in Harding County, SD.
401*	This project consists of building a new 115-69 kV PS15 Substation. This new PS15 Substation will be located in the north east corner of Section 21 of Harding County, SD.
520*	This project consists of the addition of a 115 kV bus as well as a 115-69 kV transformer to the existing BRRU Switchyard. This project will not require additional expansion so no additional land will be utilized. The existing BRRU Switchyard is located in Section 16 in Harding County, SD.
806*	This project consists of building approximately 24.1 miles of new 115 kV, 556.5 kCM ACSR overhead transmission line. This project starts at the existing BRRU Switchyard in Section 16 of Harding County, SD and traverses north and west for approximately 19.0 miles when the route heads south for approximately 1.0 miles, turns and heads directly west for an additional 4.1 miles entering into the proposed PS15 Substation.
809*	This project consists of rebuilding 1.25 miles of 115 kV overhead transmission line with 795 kCM ACSR. This proposed project would start at the existing BRRU Switchyard and would travel and tie into the existing Ladner Substation. This project starts in Section 16, travels directly north crossing into Section 9 of Harding County, SD for approximately 1.25 miles.
	GEC'S PROPOSED PUMP STATION 16 (PS16)
218*	This project consists of building 5.5 miles of single phase 14.4 kV, #2 ACSR overhead distribution line. This project starts at the proposed new substation currently planned to be placed in Section 25 in Harding County, SD. The project route will leave the proposed PS16 substation and travels north for approximately 0.3 miles then heads directly west along JB Road for an additional 5.2 miles.
330*	This project consists of rebuilding 2.5 miles of three phase 24.9 kV, #4/0 ACSR overhead distribution line with 3 phase #1/0 underground distribution line (URD). This project starts approximately 3.5 miles south west of Reva, SD and travels along State Highway 20 for 2.5 miles in Harding County, SD
331*	This project consists of rebuilding 0.5 miles of three phase 24.9 kV, #1/0 ACSR overhead distribution line with 3 phase #1/0 underground distribution line (URD). The project starts approximately ½ mile east of 155 th Avenue and travels along State Hwy 20 for 0.5 miles. This project is located in Perkins County, SD.
402*	This project consists of building a new 115-69 kV PS16 Substation. This new substation is would be located in the north west corner of Section 25 in Perkins County, SD and approximately 0.3 miles south of JB Road.
522*	This project consists of expanding the 230 kV bus at the existing John Riedy Substation. The existing John Riedy Substation is located in north west corner of Section 16 in Perkins County, SD or approximately 7.0 miles east of Prairie City, SD. The expansion of this substation results in an increase of acreage of .52 acres of farmland of statewide importance.
807*	This project consists of building 41.25 miles of 115 kV overhead transmission line. The line starts just east of 168th Avenue at the existing John Reidy Substation in Perkins County, SD and travels directly west for approximately 33.0 miles, then heads south southwest for the remaining 8.25 miles ending at the proposed new PS16 Substation.
	GEC'S PROPOSED PUMP STATION 17 (PS17)
219*	This project consists of building 0.2 miles of single phase 14.4 kV, #2 ACSR overhead distribution line. This proposed project route starts just outside the proposed Pump Station 17 (PS17) which is proposed to be located just north of Opal Road in Mead County, SD.
406*	This project consists of building a new 115-6.9 kV substation. This proposed project will be located in the south west corner of Section 22 in Meade County, SD.
808*	This project consists of building 10.8 miles of 115 kV, 556.5 kCM ACSR overhead transmission line. This project route starts at the existing Maurine Substation then turns and heads south along Maurine Road for 3.0 miles, then travels east for 1.0 mile, turning south again for 3.0 miles, heads east for 2.0 miles then angles south east for 0.3 miles then turns and heads directly south for 1.8 miles entering into the proposed PS17 Substation. This complete project route is located in Meade County, SD.

RUS Project Coding Guidelines for Construction Work Plans (CWP) Legend		
CWP	CWP PROJECT CODE DESCRIPTION	
CODE		
200*	Build New Tie Lines - Designates construction of new line for the purpose of connecting two or more existing circuits or substation bus	
300*	Rebuild Conversion and Line Changes - Designates any conversion or line change of an existing primary circuit required to improve the	
	quality or quantity of service to more than one existing consumer	
400*	Build a new Substation, Switching Stations or Metering Point	
500*	Changes to an existing Substation, Switching Station or Metering Point Changes	
800*	Build new Transmission Lines (both sub-transmission and bulk transmission projects)	

