

Black Hills Energy: Design Best Practices

The following special conditions apply to the Developer of any trails located within Black Hills Energy power line easements:

1. Developer shall at all times follow Black Hills Energy's [safety requirements](#).
2. Developer shall obtain all necessary government permitting for any trails located within Black Hills Energy power line easements. After permitting is obtained, Developer shall submit all design, excavation and construction plans for any trail within Black Hills Energy power line easements for consultation and approval at least 90 days prior to commencing any excavation or construction related to such trail. Black Hills Energy will provide its approval or denial within 60 days of the Developer's request for approval.
3. Developer shall notify Black Hills Energy's System Operations Outage Coordinator ("Coordinator") no less than thirty (30) calendar days (the "Notification Time Frame") before performing any excavation or using any oversized equipment in the Easement area. The Coordinator can be contacted Monday – Friday, 7 a.m. – 4 p.m. at 605-721-2605 or BHCOutageCoordinator@blackhillscorp.com. If notification is sent to the Coordinator before 10 a.m., then day one of the Notification Time Frame shall begin the same day; or if notification is sent to the Coordinator after 10 a.m., then day one of the Notification Time Frame shall begin the following day. (This Notification Time Frame is necessary to allow Black Hills Energy's Transmission System Operations Department time to review, evaluate and submit the system information to its balancing authorities and reliability coordinator and to allow time to have an observer/certified switchman at the worksite.)
4. Developer shall restrict construction equipment height under Licensor's transmission line to fourteen (14) feet.
5. Developer shall limit the height of signage under Licensor's transmission line to eight (8) feet.
6. Developer shall restrict vegetation and plantings to grasses, shrubs, bushes, and "dwarf" tree species with a maximum height of (14) feet under Licensor's transmission line.
7. Developer shall ensure that all workers in proximity of energized lines are qualified. "Qualified" is defined in O.S.H.A. 29 CFR 1910.269, latest edition.
8. The Facilities must be located a distance of at least twenty-five (25) feet from Licensor's transmission structure foundations (footers and guy anchors).
9. If directed by Black Hills Energy (or designate representative of Black Hills Energy), Developer shall provide shoring or other supportive devices to protect the foundation of the Licensor's structures (footers or guy anchors or both) at Developer's expense.
10. Developer's design shall maintain and preserve the clearance distances between Developer's powerline trails and related facilities to Licensor's conductor wires and facilities and meet the more stringent requirements of either the latest version of the National Electric Safety Code or the RUS standards per RUS Bulletin 1724E-200 and any related criteria stated therein as referenced on the internet at https://www.rd.usda.gov/files/UEP_Bulletin_1724E-200.pdf (as updated).

11. The Design and/or construction of a power line trail shall not interfere with Terms and Conditions of the underlying Transmission Line easement, or the landowners' underlying land rights.
12. The Design and/or construction of a power line trail shall not interfere with the Utilities' ability to Own, Operate, Maintain, Design, Construct, Upgrade, Uprate, or Reconstruct the Transmission line.