

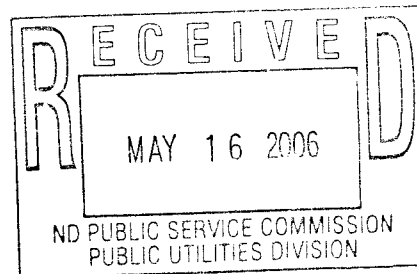
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May 12, 2006

Ms. Illona A. Jeffcoat-Sacco  
Executive Secretary  
Public Service Commission  
600 East Boulevard Avenue, Dept 408  
Bismarck, ND 58505-0480



Re: Route Permit No. 95 for Antelope Valley Station Raw Water Pipeline  
Beulah, North Dakota

Dear Ms. Jeffcoat-Sacco:

Basin Electric Power Cooperative's contractor ENSR has completed the pedestrian survey for nesting passerines within the 150 foot right-of-way (ROW) and a survey for nesting raptors within 0.5 mile of the construction ROW. ENSR's report is attached

If you have any questions and or concerns regarding the performance of the survey, or the results, please contact me at (701) 355-5635.

Sincerely,

Cris Miller  
Environmental Coordinator

cm:mev

cc: Bill Bicknell, USFWS  
Joe Bichler, B&W  
Scott Wiseman, BEPC



# **BREEDING BIRD SURVEY REPORT**

**FOR THE ANTELOPE VALLEY STATION RAW WATER PIPELINE PROJECT**

**Prepared for**

**U.S. Fish and Wildlife Service**

**Bismarck, North Dakota**

**By**

**BASIN ELECTRIC POWER COOPERATIVE**

**May 2006**

## Breeding Bird Survey Report Basin Electric Power Cooperative

### AVS Raw Water Pipeline Project

Basin Electric Power Cooperative (BEPC) is proposing to construct a raw water pipeline to supply cooling water from Lake Sakakawea to the Antelope Valley Station (AVS) and Dakota Gasification and Coteau (lignite mine) facilities in Mercer County, North Dakota. The AVS Raw Water Pipeline Project would be constructed approximately 8 miles northwest of the Town of Beulah (**Figure 1**). The proposed 42-inch-diameter, approximately 8.9-mile-long pipeline would replace the existing water supply pipeline. The proposed pipeline would be constructed parallel to the existing pipeline for over 67 percent of the alignment and within the existing corridor, which was used to complete the corridor compatibility analysis for the existing pipeline in 1977. The proposed pipeline would begin at the existing water pumphouse, which is located immediately adjacent to Renner Bay of Lake Sakakawea within the Hille State Game Management Area, and end at the AVS. BEPC anticipates that construction activities would occur from June 2005 through mid-2006.

In order to comply with the intent of the Migratory Bird Treaty Act (MBTA) and Executive Order 13186 (66 Federal Register [FR] 3853), and in coordination with the U.S. Fish and Wildlife Service (USFWS), BEPC conducted pedestrian surveys for nesting passerines (e.g., perching birds) within the 150-foot-wide construction right-of-way (ROW), focusing on native rangeland and wooded habitats. BEPC also conducted breeding raptor surveys within 0.5 mile of the construction ROW prior to construction activities in 2005. Breeding bird surveys, including raptor surveys, were conducted on May 16 and May 17, 2005. The results of these surveys were provided to the USFWS in May 2005.

Because approximately 2.9 miles of the remaining AVS Water Pipeline Project is scheduled to be constructed during the breeding season for migratory bird species, and that construction activities could potentially affect populations of important migratory bird species in the project area, breeding bird surveys, including raptor surveys, were conducted on April 19, 2006.

### Habitats

The remaining 2.9 miles of proposed water pipeline route traverses approximately 0.2 mile of rangeland and approximately 2.7 miles of cultivated cropland. Rangeland areas that occur along the proposed route primarily consist of a variety of grasses, grass-like plants, and forbs. Dominant species include western wheatgrass (*Agropyronsmithii*), prairie junegrass (*Koeleriapyramidata*), blue grama (*Boutelouagracilis*), Kentucky bluegrass (*Poa pratensis*), smooth brome grass (*Bromus inermis*), upland sedges (*Carex* spp.), fringed sage (*Artemisia frigida*), and milkvetch (*Astragalus* spp.) species. Shrubs observed within these areas occurred in small groupings and included western snowberry (*Symphoricarpos occidentalis*), chokecherry (*Prunus virginiana*), buffaloberry (*Sheperdiacanadensis*), gooseberry (*Ribes cinereum*), wild rose (*Rosa arkansana*), serviceberry (*Amelanchier alnifolia*), and skunkbush (*Rhus trilobata*).

Tree and shrub species observed in the project area included Siberian elm (*Ulmus sibericus*), plains cottonwood, green ash, wild plum (*Prunus americana*), Russian olive (*Eleagnus angustifolia*), chokecherry, cherry (shrub species) (*Prunus* sp.), hawthorn (*Crataegus rotundifolia*), lilac, and carygana (introduced shrub). Cultivated cropland traversed by the proposed route included fields of wheat, pea, and alfalfa.

### **Methods**

Surveys for nesting passerines were conducted by positioning three biologists approximately 40 feet apart within the 150-foot-wide construction ROW in grassland and shrubland habitats and slowly walking the ROW and scanning ahead for flushing birds. When a bird was flushed, the biologists immediately went to that location and carefully looked for a nest. In addition, all trees and shrubs that were in the ROW were carefully examined for nest sites.

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### **Breeding Bird Survey Report Basin Electric Power Cooperative AVS Raw Water Pipeline Project**

Surveys for nesting raptors were conducted by examining trees and shrubs within 0.5 mile of the ROW boundary and along access roads. Areas that included trees and shrubs outside of the construction ROW also were examined by walking within close proximity where access was available.

In addition to looking for nest sites, the biologists also looked for territorial and breeding behavior (e.g., mated pairs, territorial defense, birds carrying nest material, transporting food) as an indication of a potential active nest site or territory.

### **Results**

No passerine nests were identified within the remaining rangeland habitat (approximately 0.2 mile within native rangeland habitat) that would be constructed in 2006. However, a number of bird species were observed within the project area during the surveys (April 19, 2006) (e.g., western meadowlark, horned lark, vesper sparrow, song sparrow, and lark sparrow). No active raptor nests were documented within 0.5 mile of the proposed construction ROW.

### **Impact Assessment**

BEPC's proposed construction schedule would overlap the breeding season for many migratory bird species. However, because no nesting passerines were documented within the construction ROW, potential impacts to nesting passerines would be limited to indirect effects associated with increased noise levels and human presence during construction activities, if present within the project vicinity. Because no nesting raptors were found within 0.5 mile from the construction ROW, no direct or indirect impacts to nesting raptors would be anticipated from pipeline construction.

### Breeding Bird Survey Report Basin Electric Power Cooperative AVS Raw Water Pipeline Project

