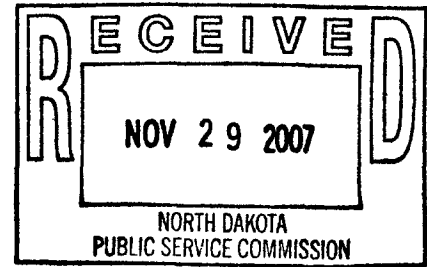


North Dakota Chapter of The Wildlife Society
P.O. Box 1442
Bismarck, ND 58502-1442
November 27, 2007

Ms. Illona A. Jeffcoat-Sacco
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480



Ms. Jeffcoat-Sacco:

The North Dakota Chapter of The Wildlife Society thanks the Public Service Commission for the opportunity to comment on Case No. PU-07-642 (10/02/2007), concerning the decommissioning of wind facilities in North Dakota. The Wildlife Society is an international, nonprofit, scientific and educational organization composed of professionals, students, and laypersons active and interested in wildlife research, management, education and administration. The NDCTWS is an active affiliate with approximately 350 members. It is specifically concerned with approaches to effective management of North Dakota's plant and animal communities.

The wind industry in North Dakota promises to hold great benefit to North Dakotans and their communities. The Society is generally supportive of wind energy as a renewable source of "green" energy that can be produced locally. The Society is pleased that the Public Service Commission has addressed the issue of decommissioning. Decommissioning will allow those areas that previously served as wildlife habitat to be reclaimed as such and thus help to ameliorate any negative environmental impacts to wildlife from the original wind-farm development. Overall, we are in agreement with the proposed rule and are particularly pleased that the rule addressed the following points:

- The reclamation of disturbed areas to their pre-construction conditions
- Requirement of a decommissioning plan for facilities greater than 500 kW
- Requirement of a decommissioning plan prior to commencement of the construction of wind facilities
- Reclamation of the entire facility footprint, including foundations, overhead power lines, roads, etc.

While we generally think the rule is thorough, we do have a few concerns. In Section 69-09-10-05, Decommissioning Requirements, we recommend that disturbed areas in native prairie be planted with a high-diversity native seed mixture. This will help allay concerns we have about the invasion of non-native species in native prairie.

Secondly, Section 69-09-10-08, Financial Assurance, addresses the timing for the requirement of financial assurance. We are uncertain how the 10 year indicator was chosen and why financial assurance would not be required upon start-up. What happens if a wind developer sells before that 10-year mark? Further, we propose that the wording be changed from "may require a performance bond....." to a stronger and more definitive "will require a performance bond...."

Lastly, we would recommend the performance bond be sufficient to complete reclamation to the state's standards.

Thank you again for the opportunity to comment.