

Hamre, John G.

From: Lein, Jerry R.
Sent: Thursday, March 27, 2014 6:31 PM
To: Hamre, John G.
Subject: FW: Border Winds - PSC follow-up
Attachments: Border Winds_2014 March25_NDPSC.pdf; Border Winds_20131220134017.pdf

John – Will you please docket this in PU-08-797 and PU-14-31? Thanks.

From: Sean Flannery [<mailto:Sean.Flannery@res-americas.com>]
Sent: Thursday, March 27, 2014 4:42 PM
To: Lein, Jerry R.
Cc: Brad Lila; Sean Flannery
Subject: Border Winds - PSC follow-up

Jerry,

I hope you are doing well. I was disappointed that I could not attend the Informal Hearing on Tuesday this week for the Border Winds Project. However, I was able to catch up with Brad and it sounds like it was a productive and positive discussion.

He said there were several follow up items that you wanted us to send to you. Those include:

- 1) RES presentation from March 25 informal hearing – A PDF of that presentation is attached
- 2) USFWS letter of approval for Waterfowl Management Easements – Letter from John Takala is attached
- 3) Latest FAA approvals – All turbine and alternate turbines were refiled with FAA on Feb 25, 2014. Responses are expected in the next week or two from FAA. We will provide those 80 response letters to the PSC when we receive them. The ASN study numbers for the refiled turbines are 2014-WTE-1222-OE through 2014-WTE-1301-OE, for a total of 80 unique study numbers.
- 4) Closest distance to a non-participating occupied dwelling – Our engineering staff have confirmed that the nearest non-participating residence to any turbine in the Project is 1,644 feet. That residence (receptor H44 in the sound/shadow flicker reports) is located south of Turbine T63.

Please let me know if you have any questions about the attached information or my responses above.

Sincerely,

Sean Flannery
Senior Permitting Specialist
Renewable Energy Systems Americas, Inc.
12 South 6th Street, Suite 930
Minneapolis, Minnesota 55402 USA

Main: 612.746.4028
Direct: 612.455.8449
Mobile: 651.338.5986
Facsimile: 612.746.4068

Email: sean.flannery@res-americas.com
Web: <http://www.res-americas.com>

12 **PU-14-31** Filed: 3/27/2014 Pages: 13
RES presentation from Informal Hearing, USFWS letter, FAA approvals

Renewable Energy Systems Americas, Inc.
Sean Flannery, Sr Permitting Spec.

102 **PU-08-797** Filed: 3/27/2014 Pages: 13
RES presentation from Informal Hearing, USFWS letter, FAA approvals

Renewable Energy Systems Americas, Inc.
Sean Flannery, Sr Permitting Spec.



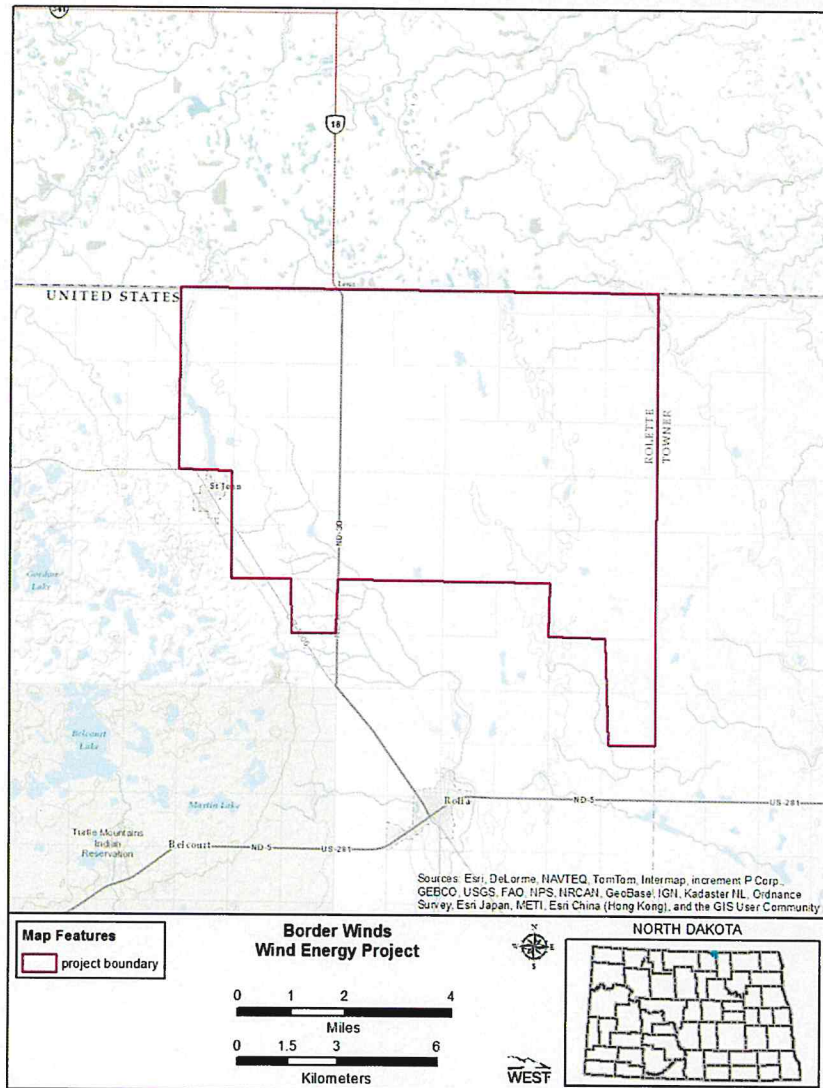
NOTICE TO RECIPIENT: THIS EMAIL IS MEANT FOR ONLY THE INTENDED RECIPIENT OF THE TRANSMISSION, AND MAY BE A COMMUNICATION PRIVILEGED BY LAW. IF YOU RECEIVED THIS EMAIL IN ERROR, ANY REVIEW, USE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS EMAIL IS STRICTLY PROHIBITED. PLEASE NOTIFY US IMMEDIATELY OF THE ERROR BY RETURN EMAIL AND PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU IN ADVANCE FOR YOUR COOPERATION.

This transmission, email and any files transmitted with it, may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product, or (3) strictly confidential under federal or state law. If you are not the intended recipient of this message, you may not use, disclose, print, copy or disseminate this information. If you have received this transmission in error, notify the sender (only) and delete the message. This message may also be subject to disclosure under the North Dakota Open Records Laws.

North Dakota PSC
Border Winds Energy, LLC
March 25, 2014



Border Winds Energy Facility - Overview



- **Border Winds Energy, LLC**
 - Rolette County, North Dakota
- **Developed by Sequoia Energy US**
- **Permitted by ND PSC in 2011**
- **2013 – Xcel Agreement to purchase the Project**
- **2013 – Renewable Energy Systems Americas, Inc. agreement to purchase the Project from Sequoia**

Why We Are Here Today

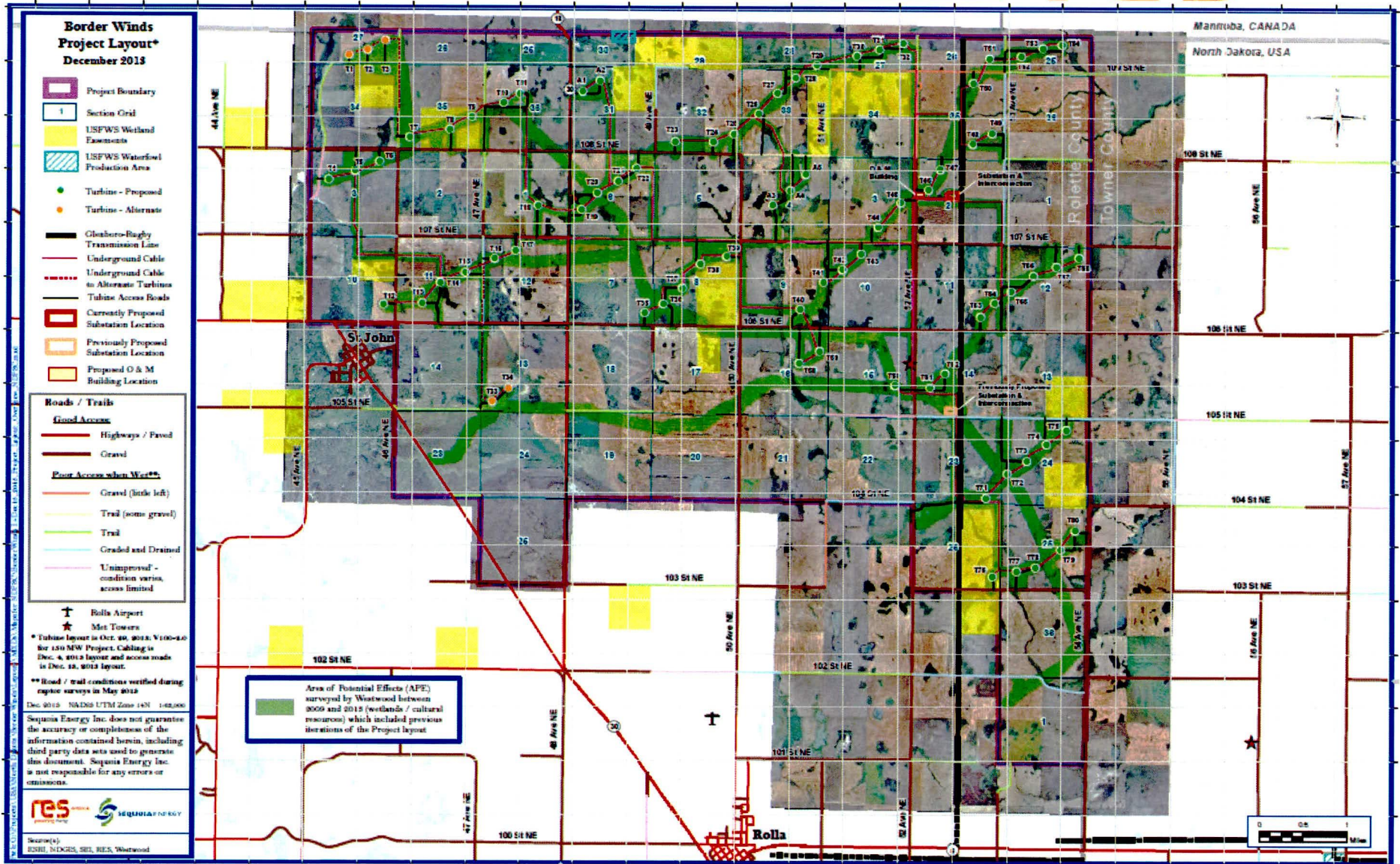
- **PU-14-31 - Transfer of Ownership**
- **PU-08-797 – Certificate of Site Compatibility Amendment**

RES Americas

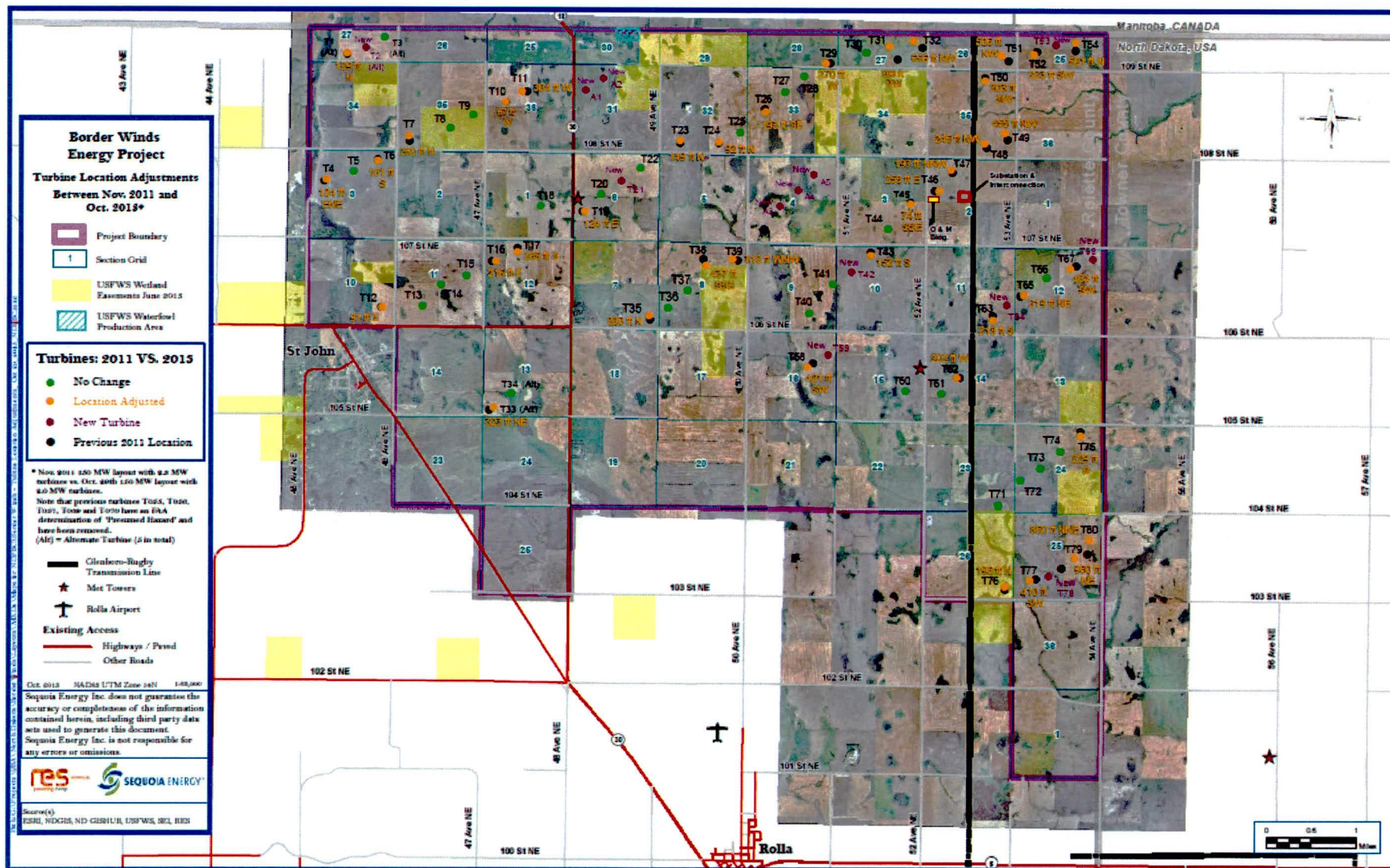


- A global leader in the wind energy industry for 25 years
- Established offices in the United States in 1997, which now employ 400 people
- Active in wind energy and solar energy development and construction
- Developed and/or constructed 5,200 megawatts (MW) of wind energy across the US and Canada

Border Winds Energy, LLC – Layout Overview



Border Winds Energy, LLC – Layout Changes



Significant Landowner and Community Outreach since summer 2013

- **Coordinating with Sequoia staff**
- **Landowner dinner**
- **Individual landowner meetings to confirm location of layout and facilities**
- **Discussions with Rolette County Board to discuss the project, CUP and Building Permits, and Road Use Agreement**
- **RES has worked significantly to reduce impacts from the Project to landowners and natural resources.**

Permits Updated/Obtained since 2011

- **Rolette County**
 - CUP and Building Permits – Re-approved November 19, 2013
 - Road Use Agreement – Currently working to execute agreement this month

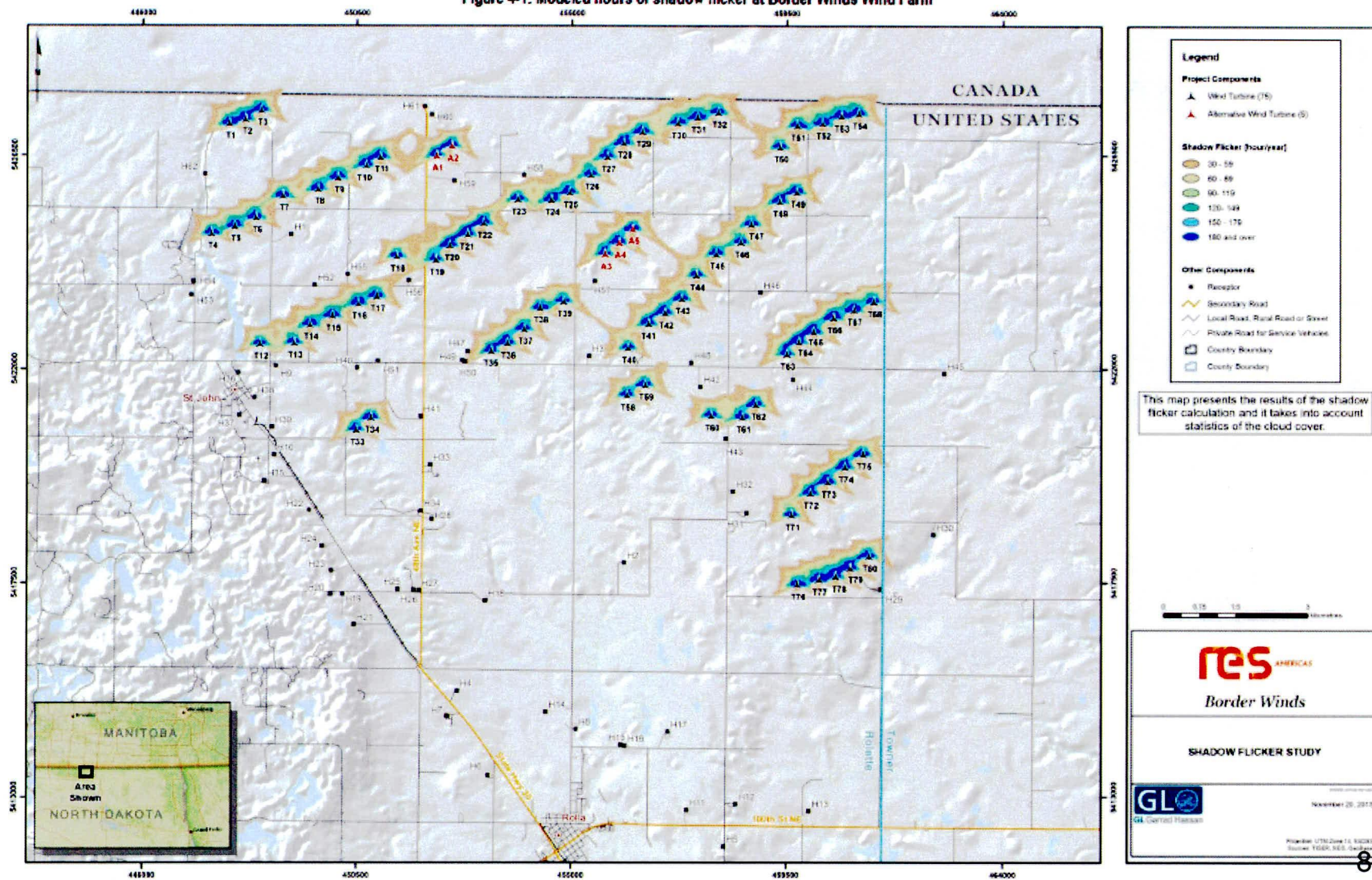
- **North Dakota**
 - SHPO Concurrence Letter – January 14, 2014
 - Turtle Mountain Band Support Letter – March 14, 2014

- **Federal**
 - US Army Corps of Engineers Approval (reduced impacts from 2011) – February 24, 2014
 - US Fish and Wildlife Service – Received approval letter from USFWS lands confirming avoidance of wetland easement impacts. Provided USFWS final Bird and Bat Conservation Strategy for Project in September 2013
 - FAA – Received 80 Determinations of No Hazard in July 2013. Resubmitting layout now to confirm final locations.

Border Winds Energy, LLC – Shadow Flicker Modeling Results



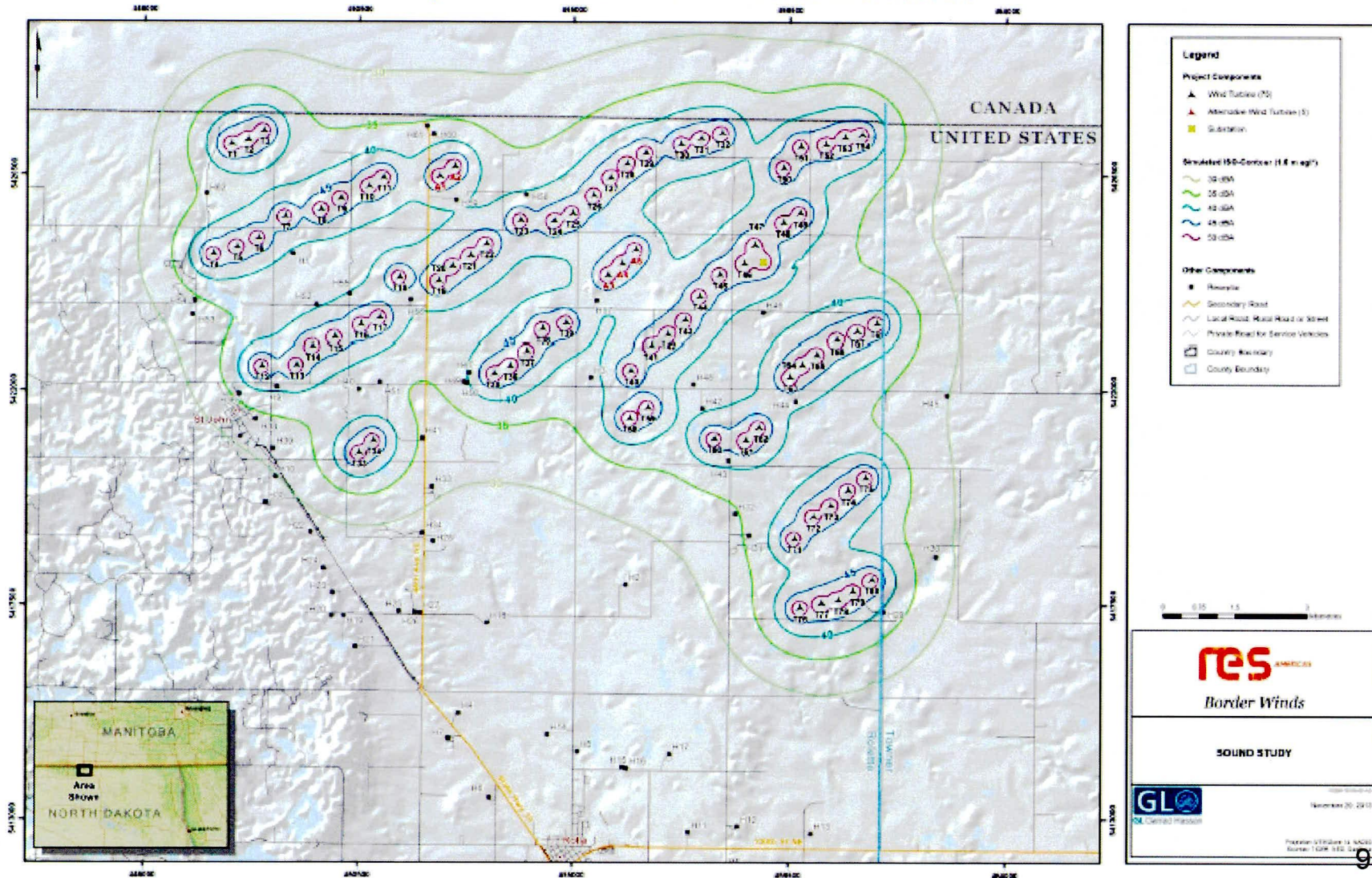
Figure 4-1: Modeled hours of shadow flicker at Border Winds Wind Farm



Border Winds Energy, LLC – Sound Modeling Results



Figure 6-1: Modeled sound levels at 1.5 m at Border Winds Wind Farm



- **ND PSC – Certificate Amendment and Transfer of Ownership**
- **Final Construction planning**
- **Mobilization for onsite construction activities after road restrictions are lifted (likely mid-May 2014)**

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

J. CLARK SALYER NATIONAL WILDLIFE REFUGE
681 SALYER ROAD
UPHAM, ND 58789-0066
PHONE (701) 768-2548
FAX (701) 768-2834



December 20, 2013

Mr. Brad Lila, Development Manager
RES America Developments Inc.
12 South Sixth Street, Suite 930
Minneapolis, MN 55402

Dear Mr. Lila:

Thank you for the opportunity to comment on the siting of facilities for the Border Winds project. In our last meeting we discussed the changes that you made to the project layout in order to avoid impacts to U.S. Fish and Wildlife Service (USFWS) easement protected wetlands. The following are the changes that were made: underground cable routing north of wetland east of T7, reroute underground cable between T8 and T9 to avoid small wetland, reroute T76 access road east to avoid wetlands, and bore cable under one wetland and avoid two small wetlands between T76 and T71. Considering these changes this project will not impact USFWS easement protected wetlands, however any future changes to the tower locations, cable routes, or other facilities would require consultation with our office.

As we agreed in our last meeting, someone from our office will stake the edge of the wetlands that need to be avoided during construction. Please notify me next spring with enough lead time that we can ensure the wetlands are staked prior to the beginning of construction.

The Service has purchased and owns perpetual rights which restrict or prohibit the right to drain, burn, level or fill protected wetland basins that I identified for you. It is your responsibility to ensure construction activities do not drain, burn, level, or fill these protected wetlands. In the case that a protected wetland basin is drained, filled, or leveled, restoration would be required.

If you have any questions about this letter, please contact me at phone number 701-768-2548 x114. Thank you again for providing the opportunity to review this project.

Sincerely,

A handwritten signature in cursive script that reads "John Takala".

John Takala
Wetland District Manager