

BIRDS GROUND XCEL WIND DEAL

The utility's partner in the North Dakota project wants to keep it going.

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On the plains of North Dakota, two rare birds have sparked an unusual fight between giant energy companies that have long worked as partners.

The battle erupted over the endangered whooping crane, which migrates through the state, and the piping plover, a threatened species on the northern plains.

Faced with the risk that wind turbine blades would slash plovers to death and scare whooping cranes off their nests, Xcel has terminated a proposed 100-unit wind farm in North Dakota.

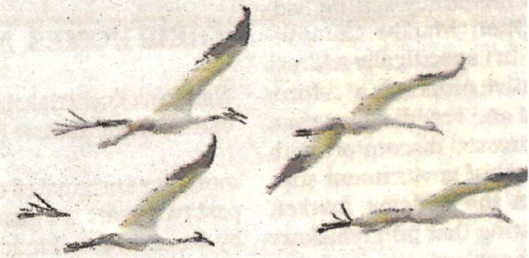
But EnXco, a large renewable energy company that holds a contract to build the \$400 million project, objects. The company said Tuesday it is actively working to address the bird concerns and says it will challenge Xcel's decision to cancel the deal, though no lawsuit has been filed.

Neither company would elaborate Tuesday on the terse statements they have issued about the dispute, which has left North Dakota officials stunned.

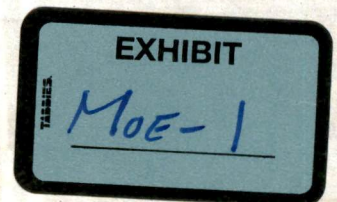
Wind continues on D8 ▶

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Don Flaherty, mayor of Ellendale



Whooping cranes in flight. There was concern that turbine noise could scare them from their nests.



Xcel cancels North Dakota wind energy project

Xcel Energy Inc. has canceled a \$400 million wind farm in southeastern North Dakota that potentially threatened two endangered birds.

Under federal law, Xcel would be required to mitigate threats to the whooping crane and the piping plover, a step that carried "uncertainty in the cost and timing," the company said in a regulatory filing Friday.

Xcel said it terminated a 2008 agreement with EnXco Development Corp. to construct the 150-megawatt Mericourt Wind Project in Dickey and McIntosh counties. The project was to have been com-

pleted this year.

"We are glad that they made the decision," said Robert Johns, a spokesman for the American Bird Conservancy, which has raised concern about an estimated 440,000 birds killed each year by wind farms.

The whooping crane, the tallest bird in North America, is down to 400 in the wild, according to the U.S. Fish and Wildlife Service. The piping plover is listed as endangered in the Great Lakes area, with just 63 known nesting pairs in 2008.

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"That hurts us," said Don Flaherty, mayor of Ellendale, population 1,300, near the proposed 9,600-acre wind farm in southeastern North Dakota.

"There was going to be a total of 20 jobs associated with the maintenance of the turbines, and some of those people probably would want to live in Ellendale."

North Dakota Public Service Commission will review the matter at a meeting Wednesday. A spokesman for the commission said this is the first time it has considered the prospect of a large wind project being dropped un-

der such circumstances.

The 150-megawatt Merricourt Wind Project has been under development since 2008 and was to have been completed this year.

To keep the project alive, EnXco, the U.S. subsidiary of a large energy company based in Paris, recently agreed to recommendations by the U.S. Fish and Wildlife Service to develop a protection plan for the birds and to apply for a federal permit allowing "incidental taking" if one is accidentally killed.

Those steps, said Jeffrey Towner, field supervisor for the wildlife service in North Dakota, could take up to a year. If the



A piping plover

Wikipedia

project went ahead without taking those steps, Xcel faced criminal liability under a federal migratory bird law should a piping plover or whooping crane be killed by flying into a blade, tower or cable, he said.

Towner said about 250 whooping cranes migrate through that part of North Dakota. While one of the giant birds might strike a turbine, the chief concern is that the humming machines will scare cranes

from nesting areas. EnXco has proposed to preserve 1,700 acres of wetlands away from turbines for crane habitat.

Fewer than 3,000 piping plovers, a small shore bird, are estimated to be left in the northern Great Plains, Towner said. The birds are threatened in that region, and endangered in the Great Lakes. He said nesting sites, though no plovers, have been spotted in the Merricourt project area.

That bird is believed to be at greater risk than cranes of flying into blades, Towner said. If EnXco obtains an "incidental taking" permit in North Dakota, it could be the first in the state issued for a wind farm, he added.

In February, an EnXco official testified at a regulatory hearing that the company in-

tended to minimize the effect on the birds, but said it would not develop the habitat plan to seek the taking permit. Towner said EnXco changed its position in the past couple of weeks.

Xcel, in a regulatory filing Friday, said it was terminating the project because of the threat to birds and uncertainty about the cost and time needed to reduce the threat. Xcel spokeswoman Patti Nystrom said canceling the project would not cause the company to fall short of renewable-energy mandates.

EnXco, the American subsidiary of EDF Energies Nouvelles, completed another Xcel wind project last year in southwestern Minnesota.

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