

Baldwin Wind Energy Center Environmental Assessment Scoping Meeting Summary

Date: Wednesday, October 21, 2009

Location: Wilton School Gym, Wilton, ND

Attendees: Approximately 50

Meeting Summary

The proposed Baldwin Wind Energy Center (Project) would connect to a Western Area Power Administration (Western) transmission line. Because of this federal nexus, the Project requires an Environmental Assessment (EA) by Western under the National Environmental Policy Act (NEPA). As part of the NEPA EA process, a public scoping meeting was held near the proposed Project in Wilton, North Dakota on October 21, 2009. The meeting was held in an open house format from 5:00 pm to 8:00 pm.

Several agencies were invited to the meeting (Appendix 1) and advertisements were placed in the Bismarck Tribune from Tuesday, October 6 through Thursday, October 15, 2009 (Appendix 2). The meeting was also included in the public service announcements for the following six radio stations in the Bismarck area: KQDY, KFYZ, KBMR, ROCK 101, Y93 and ESPN.

Each attendee was asked to sign in, and was given a Project Fact Sheet, map of the Project, and a comment sheet (Appendix 3). Maps displayed throughout the room illustrated the Project boundary (dated September 9, 2009), the turbine layout, including alternate turbines, aerial photography base, and the location of U.S. Fish and Wildlife Service (USFWS) easements (Appendix 4). A flowchart illustrating the NEPA process and a couple of posters describing the reason for the open house were also displayed (see photos in Appendix 5).

The following people were available to describe the Project and answer questions: Matt Marsh, Western; Allen Wynn, Dick Rausch, Matt Gomes, Neil Jones, Charlie Hutchings, Frank Bernardo, and Josie Hernandez, NextEra Energy; Tracey Martorano, Tetra Tech.

Because the meeting was held as an open house format, there was no formal presentation. Attendees received a handout packet consisting of a Project Fact Sheet, a Project Map, and a Comment Sheet (Appendix 3). Attendees were able to walk around the room to review the displays (Appendix 4 and Appendix 5) and discuss the Project with representatives from Western and NextEra Energy. Photos from the meeting are found in Appendix 5.

Comments

Comment sheets were distributed to all attendees. Some comment forms were received that day and others were accepted through mail, telephone, email and fax through November 21, 2009. Copies of the comments received to-date are found in Appendix 6. Comments were received from the U.S. Environmental Protection Agency (EPA), the Natural Resources Conservation Services (NRCS), and the U.S. Army Corps of Engineers (USACE). All three agencies expressed concern over wetlands in the Project area and requested that impacts to wetlands be minimized.

The National Park Service (NPS) noted that the Lewis and Clark National Historic Trail is located near the proposed Project. North Dakota Highways 1804 and 1806 are designated Lewis and Clark auto tour routes, and the NPS is concerned about potential impacts to the Trail's natural, cultural, recreational, and scenic values, as well as cumulative visual impacts on the Trail.

The North Dakota Parks and Recreation Department (NDPRD) search of the North Dakota Natural Heritage Database did not find any plant or animal species of concern or other significant ecological communities in the Project Area. The NDPRD recommends pre and post construction avian and bat monitoring, and recommends that the area be revegetation with native species.

The North Dakota Chapter of The Wildlife Society submitted comments regarding grassland mitigation, cumulative impacts, and wildlife surveys.

Other than requests to be added to the EA mailing list and to receive a draft copy of the EA document, five comments were received from the public. Three of these comments expressed positive feedback for the Project:

“It looks good to me.”

“I am impressed with the good work you are doing in developing sustainable wind energy. Keep up the good work!”

“This looks like a good project. We need more wind energy.”

Two comments related to potential future business with the Project. The first comment was:

“I represent Envision Safety Services, LLC located in Bismarck, ND. We provide safety consulting, supervision, training etc. through and after construction projects. I would invite the opportunity to meet with the safety director for NextEra Energy and discuss the possibility of doing safety work during your construction project.”

The second business-related comment was:

“I would like to know when the projected start date [sic] of the project and if you have a buyer for the Baldwin Wind Center as of now.”

Appendices

Appendix 1 - Invitations

Appendix 2 - Newspaper and radio ad

Appendix 3 – Sign in Sheet and Handouts

Appendix 4 – Project Map

Appendix 5 – Photos

Appendix 6 – Comments

Appendix 1 - Invitations



B0401.BL

Department of Energy
Western Area Power Administration
Upper Great Plains Customer Service Region
P.O. Box 35800
Billings, MT 59107-5800

SEP 30 2009

Dear Interested Party:

Baldwin Wind Energy Center, LLC (Baldwin Wind) proposes to construct, operate, and maintain a wind energy development north of the city of Baldwin in southern Burleigh County, North Dakota (Project). The Project is being proposed by Baldwin Wind Energy Center, LLC for two reasons: (1) to provide clean, reliable, competitive electrical power into the interconnected grid of the western United States, and (2) to accommodate future demand for power in North Dakota and the region. The Project would not only bring non-polluting electrical power to homes and businesses, but would also bring tax benefits to Burleigh County and the State of North Dakota, and would provide a long-term (more than 20-year) revenue stream to landowners.

As a result of the Project proposal, the U.S. Department of Energy's Western Area Power Administration (Western) is conducting studies to satisfy the requirements of the National Environmental Policy Act (NEPA), the Endangered Species Act, the National Historic Preservation Act, and other laws and regulations. Western is the lead federal agency for the proposed action. This letter serves as notification that Western will be preparing an Environmental Assessment (EA) under the provisions of NEPA to determine whether or not the impacts of the Project would be significant.

Approximately 66 three-bladed wind turbine generators (WTG) (1.5 megawatts [MW] each) would be constructed on private leased land. The Project, when complete, would be approximately 99 MW in size and would be located on approximately 12,000 acres of leased land. The power output of the proposed Project would be less than 50 average MW a year.

The GE 1.5 xle turbine, or equivalent, is the preliminary turbine choice for the Project. It is anticipated that each WTG would be 262 feet high at its hub, would have a rotor diameter of 252 feet, and would have a tip height (with a blade in the vertical position) of 389 feet. Each WTG would have a base diameter of 15 feet and a pad measuring about 150 feet by 180 feet (0.6 acre).

Some access to the Project area is currently available along county township roads. Additional access roads would be constructed as necessary. Each WTG would be connected by service roads having a permanent width of 32 feet and a temporary width during construction of 50 feet.

Each WTG would be connected by an underground 34.5 kilovolt (kV) electrical collection system to a collector step-up substation with a 34.5-230 kV transformer. Trenching would require an area temporarily cleared of vegetation about 30 feet wide, but the actual trench would only need to be wide enough to install underground cable.

The Project would interconnect with the Burleigh County Wind Energy Center's Ecklund Substation, which connects to Western's 230-kV Hilken Switch Yard. It is anticipated that the interconnection would consist of a 230-kV substation constructed and owned by Baldwin Wind near or adjacent to the existing Ecklund Substation. Construction of the collector substation would occupy about 250 feet by 250 feet (1.4 acres).

Early notification of this proposed Project is important. As such, Western is contacting appropriate Federal, state, and local agencies; tribes; potentially affected landowners and lessees; and other organizations to share information and raise awareness of the Project. The open-house public scoping meetings will be held at the Wilton School Gym, 504 Dakota Avenue, Wilton, North Dakota, on Wednesday October 21, 2009, from 5 to 8 p.m. You may attend any time between 5 and 8 p.m. You will have the opportunity to view the proposed Project and NEPA process displays and other information. The open-house scoping meeting will be very informal, with Western and Baldwin Wind representatives available for one-on-one discussions with attendees. Written comments may be left with one of Western's representatives at the scoping meeting; may be provided by fax, e-mail, or the U.S. Postal Service to Mr. Matt Marsh; or by mailing the enclosed response sheet. Interested persons are encouraged to comment on issues, concerns, or recommendations related to the proposed Project. Your input is needed by November 20, 2009, in order for it to be considered in defining the scope of the EA for the proposed Project. In addition, please let us know if you would like to receive a copy of the Draft EA for pre-approval review, once it is available.

If you have any questions, concerns, or comments, or wish to receive a review copy of the Draft EA, please call Matt Marsh at (406) 247-7385 or email me at mmarsh@wapa.gov, or by mailing the enclosed response sheet.

Sincerely,



Matt Marsh
Project Manager

Enclosure

Western needs your input to identify issues and concerns for the proposed Baldwin Wind Energy Center Project EA

If you have any issues, concerns, or questions that you would like addressed in the Baldwin Wind Energy Center Project Environmental Assessment, please complete this response sheet and send it to Matt Marsh, Environmental Protection Specialist, Upper Great Plains Region, Western Area Power Administration, P.O. Box 35800, Billings, Montana 59107-5800, Fax: (406) 247-7408, E-mail: mmarsh@wapa.gov. If you prefer, give us a call at 1-800-358-3415 or email Matt Marsh at mmarsh@wapa.gov. You may also call Mr. Marsh directly at 406-247-7385.

Share your issues, concerns, or questions with us: (please send additional pages if you wish)

Our mailing list

To have your name added or removed from our mailing list for this project, please check the appropriate box and return this response sheet to us. If you do not ask us to remove your name from our mailing list, we'll send you future EA-related announcements.

Yes, add my name to the mailing list to receive future information

No, please remove my name from your mailing list

Sign up to receive the EA for Review

Please also let us know if you would like to receive a copy of the Draft Environmental Assessment for Pre-Approval Review when it is available.

Send me the EA for review

Tell us how to reach you

Please give us your name, address, phone, fax, and e-mail, so we can keep you up-to-date about this project.

Name: _____ Title: _____

Mailing address: _____

City, State, Zip: _____

Phone: _____ Fax: _____ E-mail: _____

Contact Us

For more information, contact Mr. Matt Marsh, Western Area Power Administration, Phone: (406) 247-7385, E-mail: mmarsh@wapa.gov

Figure 1.
Baldwin Wind Resource
Area Vicinity Map

Burleigh County,
 North Dakota

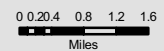


LEGEND

Baldwin Turbine Array (9/9/09)

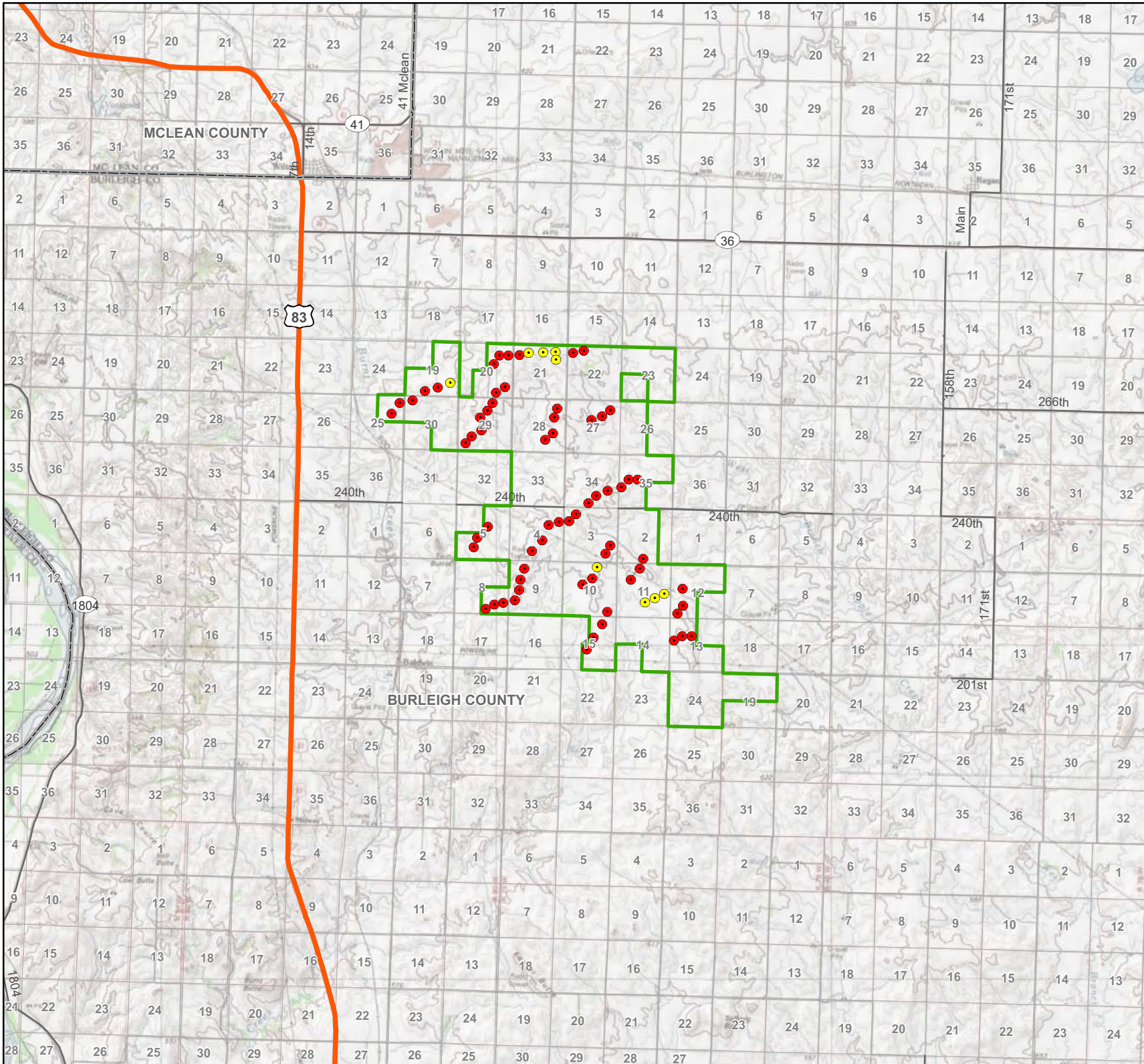
- Alternate Turbine Site
- Turbine Site
- Baldwin Wind Resource Area (9/9/09)
- County Boundary
- State Boundary
- Highway
- Major Road
- Local Road
- PLSS Section Boundary

Data Sources:
 National Geographic Topo Maps
 ESRI Streetmap 9.3



File: P:\FPL Energy\Dakotas\Contract 3935 Baldwin - Burleigh County ND\GIS and Figures\GIS\Spatial\MXD\Baldwin_VicinityMap_Agency_Letter.mxd
 Prepared By: William scales
 Coordinate System: NAD 1983 UTM Zone 14N

LOCATION MAP



«First Name»	«Last Name»	«Job Title»	«Company/agency»	«Address 1»	«Address 2»	«City»	«State»	«Zip»
Daniel	Cimarosti	Regulatory Program Manager	U.S. Army Corps of Engineers, Omaha District	ND Regulatory Office	1513 South 12th Street	Bismarck	ND	58504-6640
Carol	Rushin	Acting Regional Administrator	U.S. Environmental Protection Agency, Region 8		1595 Wynkoop St., 8EPR-N Mail Code	Denver	CO	80202-1129
Larry	Svoboda	Director	U.S. Environmental Protection Agency	NEPA Program	1595 Wynkoop St., 8EPR-N Mail Code	Denver	CO	80202-1129
Jeff	Townsend	Field Supervisor	U.S. Fish & Wildlife Service	North Dakota Field Office	3425 Miriam Avenue	Bismarck	ND	58501-7926
Ed	Meendering	Wetland Manager	U.S. Fish & Wildlife Service	Long Lake Wetland Management District	12000 353rd St. SE	Moffit	ND	58560-9704
Mark	Palmer	Director, External Affairs	U.S. Department of Agriculture	Farm Service Agency-Public Affairs Staff	1400 Independence Ave., SW STOP 0506	Washington	DC	20250-0506
Mark	Robinson	Director	Federal Energy Regulatory Commission	Office of Energy Projects	888 First Street, NE	Washington	DC	20426
John	Fowler	Executive Director	Advisory Council on Historic Preservation	Old Post Office Building, Suite 803	1100 Pennsylvania Avenue, NW	Washington	DC	20004
Dianne	Guidry	Director, Public Affairs	U.S. Department of Agriculture	Natural Resources Conservation Service	Room 6121-S, P.O. Box 2890	Washington	DC	20013
		Environmental & Historic Preservation	Federal Emergency Management Agency	Denver Federal Center	Building 710, Box 25267	Denver	CO	80225-0267
Mark	Plank	Director	U.S. Department of Agriculture-Rural Utilities Service	Engineering and Environmental Staff	Room 2242-S, Mail Stop 1571, 1400 Independence Ave, SW	Washington	DC	20250
Barry	Cooper	Regional Administrator	U.S. Department of Transportation	Federal Aviation Administration-Great Lakes Region	O'Hare Lake Office Center, 2300 East Devon Avenue	Des Plaines	IL	60018
Willie	Taylor, Ph.D.	Director	U.S. Department of the Interior	Office of Environmental Policy and Compliance	1849 C. Street, NW, MS 2342	Washington	DC	20240
Stanley	Ponce	Central Regional Director	U.S. Geological Survey	Central Region	Denver Federal Center, Building 810, Mail Stop 150	Denver	CO	80225-0046
Doug	Goehring	Agriculture Commissioner	North Dakota Department of Agriculture		600 East Boulevard Avenue, Dept 602	Bismarck	ND	58505-0020
Terry	Steinwand	Director	North Dakota Game and Fish Department		100 N. Bismarck Expressway	Bismarck	ND	58501-5095
Kevin	Levi	District Engineer	North Dakota Department of Transportation	Bismarck District	218 South Airport Road	Bismarck	ND	58504-6003
Darrell	Nitschke	Executive Secretary	North Dakota Public Service Commission		600 E. Boulevard Avenue, Dept 408	Bismarck	ND	58505-0480
Merlan	Paaverud, Jr.	Director	State Historic Society of North Dakota	State Historic Preservation Office	612 East Boulevard Avenue	Bismarck	ND	58505
Scott	Davis	Executive Director	North Dakota Indian Affairs Commission		600 E. Boulevard Avenue, 1st Floor Judicial Wing, Rm 117	Bismarck	ND	58505
Gary	Preszler	Land Commissioner	North Dakota State Land Department		PO Box 5523	Bismarck	ND	58506-5523
Douglass	Prchal	Director	North Dakota Parks and Recreation Department		1600 E. Century Ave, Suite 3	Bismarck	ND	58503
Linn	Berg	Chair	Burleigh County Soil Conservation District		916 East Interstate Avenue, Suite 6	Bismarck	ND	58503
John	Hoeven	Governor	Office of the Governor		600 East Boulevard Avenue	Bismarck	ND	58505-0001
Wendall	Meyer	Division Administrator	Federal Highway Administration	North Dakota Division	1471 Interstate Loop	Bismarck	ND	58503-0567
J.R.	Flores	State Conservationist	Natural Resources Conservation Service	North Dakota State Office	220 East Rosser Ave, Federal Building, Rm 270	Bismarck	ND	58501
Jean	Schoenhard	County Executive Director	Farm Service Agency	Burleigh County Farm Service Agency	916 East Interstate Avenue	Bismarck	ND	58503-0548
Paul	Lucy	Director	North Dakota Department of Commerce	Economic Development and Finance Division	PO Box 2057	Bismarck	ND	58502-2057
Kyle	Tschosik	Mayor	City of Wilton		121 Dakota Avenue	Wilton	ND	58579
Jim	Peluso	Chairman	Burleigh County Commission		6131 Ponderosa Avenue	Bismarck	ND	58503
Mark	Armstrong	Vice Chairman	Burleigh County Commission		618 West Boulevard Avenue	Bismarck	ND	58501
Brian	Bitner	Commissioner	Burleigh County Commission		751 80th Street SE	Bismarck	ND	58504
Doug	Schonert	Commissioner	Burleigh County Commission		14600 201st Ave NE	Baldwin	ND	58521
Jerry	Woodcox	Commissioner	Burleigh County Commission		600 N. Washington Street	Bismarck	ND	58501
Kent	Conrad	U.S. Senator	United States Senate		530 Hart Senate Office Building	Washington	DC	20510
Byron	Dorgan	U.S. Senator	United States Senate		322 Hart Senate Office Building	Washington	DC	20510
Earl	Pomeroy	Congressman	United States House of Representatives		1501 Longworth House Office Building	Washington	DC	20515
Jeff	Delzer	Representative	North Dakota House of Representatives	District 8	2919 Fifth Street NW	Underwood	ND	58576-9603
Duane	DeKrey	Representative	North Dakota House of Representatives	District 14	4323 27th Street SE	Pettibone	ND	58475-9357
Robin	Weisz	Representative	North Dakota House of Representatives	District 14	50 Highway 3 South	Hurdsfield	ND	58451-9009
Layton	Freborg	Senator	South Dakota Senate	District 8	PO Box 677	Underwood	ND	58576-0677
Jerry	Klein	Senator	South Dakota Senate	District 14	PO Box 265	Fessenden	ND	58438-0265
Bob	Paulson	Program Director	The Nature Conservancy		822 Main Street	Rapid City	SD	57701
Jim	Margadant	Chairperson	Sierra Club	North Dakota Office	311 East Thayer Ave, Suite 113	Bismarck	ND	58501
Lawrence & Amy	Igl	President	Dakota Prairie Audubon Society		1514 Skyline Lane	Jamestown	ND	58401
Matt	Shappell	Regional Director	Ducks Unlimited	North Dakota	4111 Lockport Street #212	Bismarck	ND	58503
			Pheasants Forever, Inc.	Chapter #47 - Burleigh County	1783 Buerkle Circle	St. Paul	MN	55110
Craig	Johnson	Superintendent	Wilton School District		PO Box 249	Wilton	ND	58579

OCT 28 2009

B0401.BL

Mr. Jeff Towner
Field Supervisor, Ecological Services
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501

Dear Mr. Towner:

This letter invites your agency to become a cooperating agency for the environmental assessment (EA) for the proposed Baldwin Wind Energy Center Project (Project). Western Area Power Administration's (Western) Upper Great Plains Regional Office, a power-marketing agency within the U.S. Department of Energy, has received an interconnection request to support a proposed 99 megawatt (MW) wind farm for location in southern Burleigh County, North Dakota. The NextEra Energy Resource's (Applicant) proposed Project is a 66 turbine wind farm proposed for location immediately south of the existing Wilton I and II Wind Farms.

The Applicant has applied to Western to interconnect the proposed Project to Western's power transmission system. This interconnection request triggers a Federal National Environmental Policy Act (NEPA) review process. Western is the lead Federal agency for the preparation of an EA for this Project, and will be the lead agency for consultations with the U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act, the South Dakota State Historic Preservation Office under section 106 of the National Historic Preservation Act, and other interested parties.

The Council on Environmental Quality NEPA Implementing Regulations (40 CFR part 1501.6) state that any Federal agency which has special expertise with respect to any environmental issue that should be addressed in the EA may be a cooperating agency upon request of the lead agency. We are inviting you to become a cooperating agency to ensure that all your requirements are appropriately addressed in the EA. The benefits of becoming a cooperating agency include disclosure of relevant information early in the EA process and establishment of a mechanism to address any intergovernmental issues. Should you decide not to become a formal cooperating agency for the EA, we will continue to keep your agency informed of project developments through the mailing list, and you will receive the draft and final EA documents.

We are available to meet with you and/or your office at your convenience to discuss the proposed Project and your participation. If you have any questions, please contact Mr. Matt Marsh at (406) 247-7385 or email him at mmarsh@wapa.gov.

Sincerely,

ISI Matt Marsh

for Nicholas J. Stas
Environmental Manager

bcc:

A7400 (RF)

J. Bridges, A7400, Lakewood, CO

M. Marsh, B0401.BL, Billings, MT

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Appendix 2 - Newspaper and radio ad

Baldwin Scoping Meeting Radio Ad

We need your input! Western Area Power Administration will host a public scoping meeting to help define the scope of an Environmental Assessment for Baldwin Wind Energy Center.

The proposed project will include 66 wind turbine generators, an underground power collection system, access roads, and an operations and maintenance facility. Construction of the Baldwin Wind Energy Center is proposed to begin in May 2010.

The meeting will be held on Wednesday, October 21st from 5 to 8 PM at the Wilton School Gym. For more information, please contact Matt Marsh at 1-800-358-3415.

remained in the central North Dakota area on Tuesday with a daytime high temperature in the mid-30's.

New addresses for sex offenders

By JENNY MICHAEL
Bismarck Tribune

Police say three sex offenders in Bismarck and two in Mandan have new addresses.

Jacob Scarberry, 21, now lives at 3500 E. Bismarck Expressway, a mobile home set up by the state Department of Corrections and Rehabilitation for sex offenders with nowhere to stay.

Scarberry, a high-risk offender, is required to register for the remainder of his life for a 2007 conviction in Clairmont County, Ohio, for unlawful sexual conduct with a minor. Scarberry had a consensual sexual relationship with a 15-year-old girl when he was 19, according to a release from the Bismarck Police Department. Scarberry recently was released from prison on other charges.

Ronald Drager, 52, now lives at 1800 E. Broadway Ave. Drager, a moderate-risk offender, was convicted of gross sexual imposition in 2000 in Adams County for sexually assaulting two young girls, according to a police release. Drager recently was released from prison.

John Dennis Buckley, 33, is now living at 2510 N.



Scarberry



Drager



Buckley



Profrock



Alyea

Eighth St. #102. Buckley, a moderate-risk offender, was convicted in federal court in Pennington County, South Dakota, in 1999 of aggravated

sexual abuse of a minor. Buckley molested and attempted sexual intercourse with a 15-year-old girl, according to a police release. He recently moved to Bismarck.

Timothy Profrock, 37, now lives at 1010 First St. N.E. in Mandan. Profrock, a moderate-risk offender, was convicted in 1996 of criminal sexual conduct in the third degree in Grand Traverse County, Mich. The victim was a 27-year-old woman. Profrock just moved to Mandan.

Charles Alyea, 20, now lives at 905 Pioneer Trail in

Mandan. Alyea was convicted in Burleigh County in 2003, when he was a juvenile, of gross sexual imposition. The victims were two girls, approximately 11 years old, according to a release from the Mandan Police Department. Alyea moved to Mandan in October. He is required to register as a sex offender for the remainder of his life.

(Reach reporter Jenny Michael at 250-8225 or jenny.michael@bismarcktribune.com.)

Gary Graber, of Cody, Wyo., was driving a 1997 Dodge pickup from Bismarck to Steele. He lost control of the pickup on the snow- and ice-covered roadway while trying to pass another vehicle. The pickup entered the median, rolled and came to rest on its roof.

Paul Graber, the passenger in the pickup and also of Cody, Wyo., was pronounced dead at the scene. Neither man was wearing a seat belt, the patrol said.

The wreck remains under investigation.

The wreck was one of two fatal crashes on North Dakota roads on Monday.

Manuel Perez, 48, of Cavalier, was killed in a wreck on Interstate 29 in Pembina County at 7:51 a.m. Monday. A passenger in Perez's vehicle, Clayton Allison, 47, of Pembina, had to be extricated from the vehicle and was taken to Altru Health Systems for treatment.

(Reach reporter Jenny Michael at 250-8225 or jenny.michael@bismarcktribune.com.)

We need your input!

We need your comments to help us define the scope and alternatives for an environmental assessment on a proposal to build a wind energy facility in Burleigh County, southeast of Wilton, and northeast of Baldwin, North Dakota. The proposed project will include 66 wind turbine generators, an underground power collection system, access roads, and an operations and maintenance facility. Construction of the Baldwin Wind Energy Center is proposed to begin in May 2010.

Western Area Power Administration will host a public scoping meeting to help define the scope of the Baldwin Wind Energy Center Environmental Assessment. The meeting location is handicapped accessible.

Join us to learn more about this project and to share your ideas:
5 to 8 pm, Wednesday, October 21, 2009
Wilton High School Gym
504 Dakota Avenue, Wilton, ND 58579

Need more info?

For more information or to be added to the project mailing list, contact:
Matt Marsh, Environmental Protection Specialist
Western Area Power Administration
PO Box 35800, Billings, MT 59107-5800
Phone: 1-800-358-3415, Fax: (406) 247-7408
Email: mmarsh@wapa.gov

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Northbrook MVP
1905 North Washington • Bismarck

Leroy's MVP
1210 E. Main • Mandan

Country West MVP
I-94 Exit 157 • Bismarck

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Get Well

Appendix 3 – Sign in Sheet and Handouts

Baldwin Wind Energy Center Open House

October 21, 2009, 5-8 PM Wilton School Gym

Please Print Clearly

SIGN IN SHEET

NAME	ADDRESS	POSTAL CODE	PHONE #	ADD TO MAILING LIST	
Jim Joyce Kristensen	Confidential Information			YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Lynn W. Kussion S				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Edward Fricke				YES <input type="checkbox"/>	NO <input type="checkbox"/>
David Andahl				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Norm Spitzgar				YES <input type="checkbox"/>	NO <input type="checkbox"/>
Dean Goetz				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Shannon Brown				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Betty Frankland				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Paul Merrill				YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Bob Sorcin				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Gene Hillken				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Blair Schauer				YES <input type="checkbox"/>	NO <input type="checkbox"/>
Rick Sorcin				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Lyle Witham	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>			

Baldwin Wind Energy Center Open House

October 21, 2009, 5-8 PM Wilton School Gym

Please Print Clearly

SIGN IN SHEET

NAME	ADDRESS	POSTAL CODE	PHONE #	ADD TO MAILING LIST	
Doug Hartman	Confidential Information			YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Michelle Sparden				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Elder Boetz				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Diane Enger				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Steve Merrill				YES <input type="checkbox"/>	NO <input type="checkbox"/>
Frederick Traub				YES <input type="checkbox"/>	NO <input type="checkbox"/>
Ketub				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Uwint Hilson				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Kene Hiekin				YES <input type="checkbox"/>	NO <input type="checkbox"/>
Wilhelm Meyer				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
				YES <input type="checkbox"/>	NO <input type="checkbox"/>
				YES <input type="checkbox"/>	NO <input type="checkbox"/>
				YES <input type="checkbox"/>	NO <input type="checkbox"/>
	YES <input type="checkbox"/>	NO <input type="checkbox"/>			

DUPE



Baldwin Wind Energy Center Open House

October 21, 2009, 5-8 PM Wilton School Gym

Please Print Clearly

SIGN IN SHEET

NAME	ADDRESS	POSTAL CODE	PHONE #	ADD TO MAILING LIST	
Norvel Schuler <i>Norvel</i>	Confidential Information			YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Joel Fricke				YES <input type="checkbox"/>	NO <input type="checkbox"/>
Gregg Greenquist				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Toby & Sheldn				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Robert W. Anderson				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Jeff Spitzer				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Rogin Schone				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Brian Sitner				YES <input type="checkbox"/>	NO <input type="checkbox"/>
JOHNO Spitzer				YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
				YES <input type="checkbox"/>	NO <input type="checkbox"/>
				YES <input type="checkbox"/>	NO <input type="checkbox"/>
				YES <input type="checkbox"/>	NO <input type="checkbox"/>
	YES <input type="checkbox"/>	NO <input type="checkbox"/>			
	YES <input type="checkbox"/>	NO <input type="checkbox"/>			

Baldwin Wind Energy Center

Overview

- » Located in Burleigh County, North Dakota
- » Built, owned, and operated by a subsidiary of NextEra™ Energy Resources
- » 99-megawatt wind generation plant
- » 66 1.5-megawatt GE turbines that are capable of generating enough electricity to power more than 24,000 homes
- » Each turbine is approximately 262 feet tall from the ground to the hub in the center of the blades
- » Commercial operation expected to begin in 2010

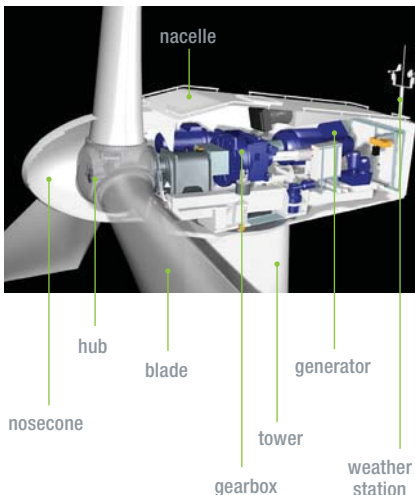
Benefits

- » Expected to employ a staff of 5
- » Estimated to pay over \$200,000 annually in property taxes
- » Estimated to make annual landowner payments of over \$600,000
- » Creates no air or water pollution
- » Uses no water in the generation of electricity
- » Allows land to remain in agricultural use



About NextEra™ Energy Resources

- » A leading clean energy provider operating wind, natural gas, solar, hydroelectric and nuclear power plants across the nation
- » More than 17,000 megawatts of generating capacity in 25 states and Canada
- » The largest wind generator in the country with nearly 70 facilities currently in operation
- » A subsidiary of FPL Group, Inc., with headquarters in Juno Beach, Florida



How It Works

Wind turbines work on the same principle as a child's pinwheel. When you blow on a pinwheel, the blades of the pinwheel spin around—same with a wind turbine.

When the wind blows against the blades of the wind turbine, the blades slowly rotate. The blades are connected to a drive shaft inside the large box (called a nacelle) seen on the top of the tower. The drive shaft turns the generator, which makes the electricity. Each wind turbine operates independently of the others. Each is, essentially, an individual power plant.

The turbine has a weather station on the top that tells it the wind speed and wind direction. That information is sent to the turbine's computer, which moves the top of the turbine (the nacelle and blades) so that the blades are always facing into the wind. The nacelle can turn 360 degrees.

The electricity is carried in cables from the generator down the inside of the tower, then underground to the site's substation. That power then goes into the offsite transmission lines and is used by the local utility to serve its customers in the region.

Figure 1.
Baldwin Wind Resource
Area Vicinity Map

Burleigh County,
 North Dakota

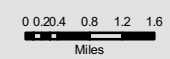


LEGEND

Baldwin Turbine Array (9/9/09)

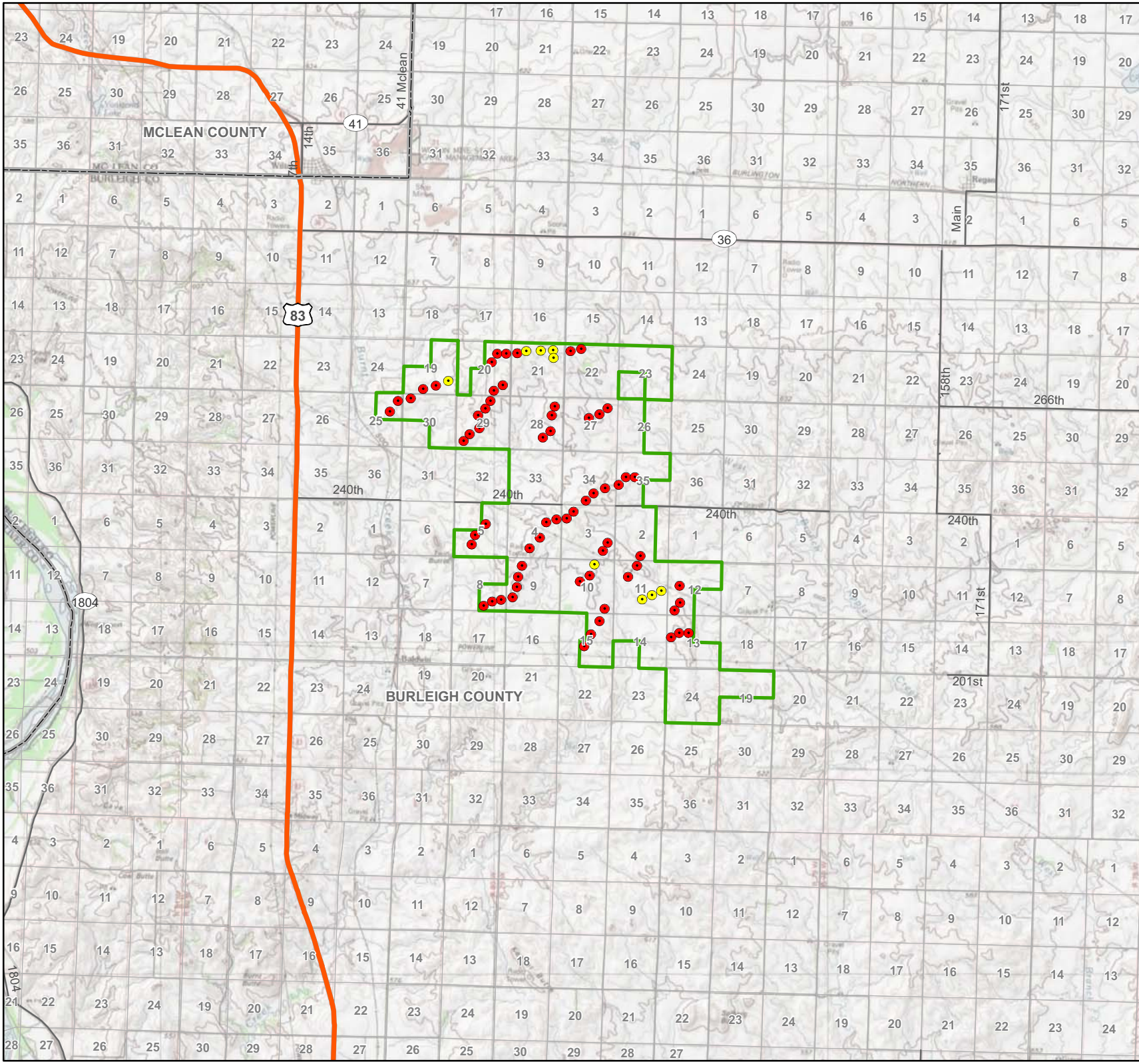
- Alternate Turbine Site
- Turbine Site
- Baldwin Wind Resource Area (9/9/09)
- County Boundary
- State Boundary
- Highway
- Major Road
- Local Road
- PLSS Section Boundary

Data Sources:
 National Geographic Topo Maps
 ESRI Streetmap 9.3



File: P:\FPL Energy\Dakotas\Contract 3935 Baldwin - Burleigh County ND\GIS and Figures\GIS\Spatial\MXD\Baldwin_VicinityMap_Agency_Letter.mxd
 Prepared By: William scales
 Coordinate System: NAD 1983 UTM Zone 14N

LOCATION MAP



Please fold in thirds and tape

Mr. Matt Marsh
NEPA Document Manager
Western Area Power Administration
Upper Great Plains Region
P.O. Box 35800
Billings, MT 59107-5800

Appendix 4 – Project Map

Figure 1.
Baldwin Wind Resource
Area Vicinity Map

Burleigh County,
North Dakota

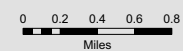


LEGEND

Baldwin Turbine Array (9/9/09)

- Alternate Turbine Site
- Turbine Site
- USFWS Wetland Easement
- Baldwin Wind Resource Area (9/9/09)
- County Boundary
- State Boundary
- Highway
- Major Road
- Local Road
- PLSS Section Boundary

Data Sources:
National Geographic Topo Maps
ESRI Streetmap 9.3

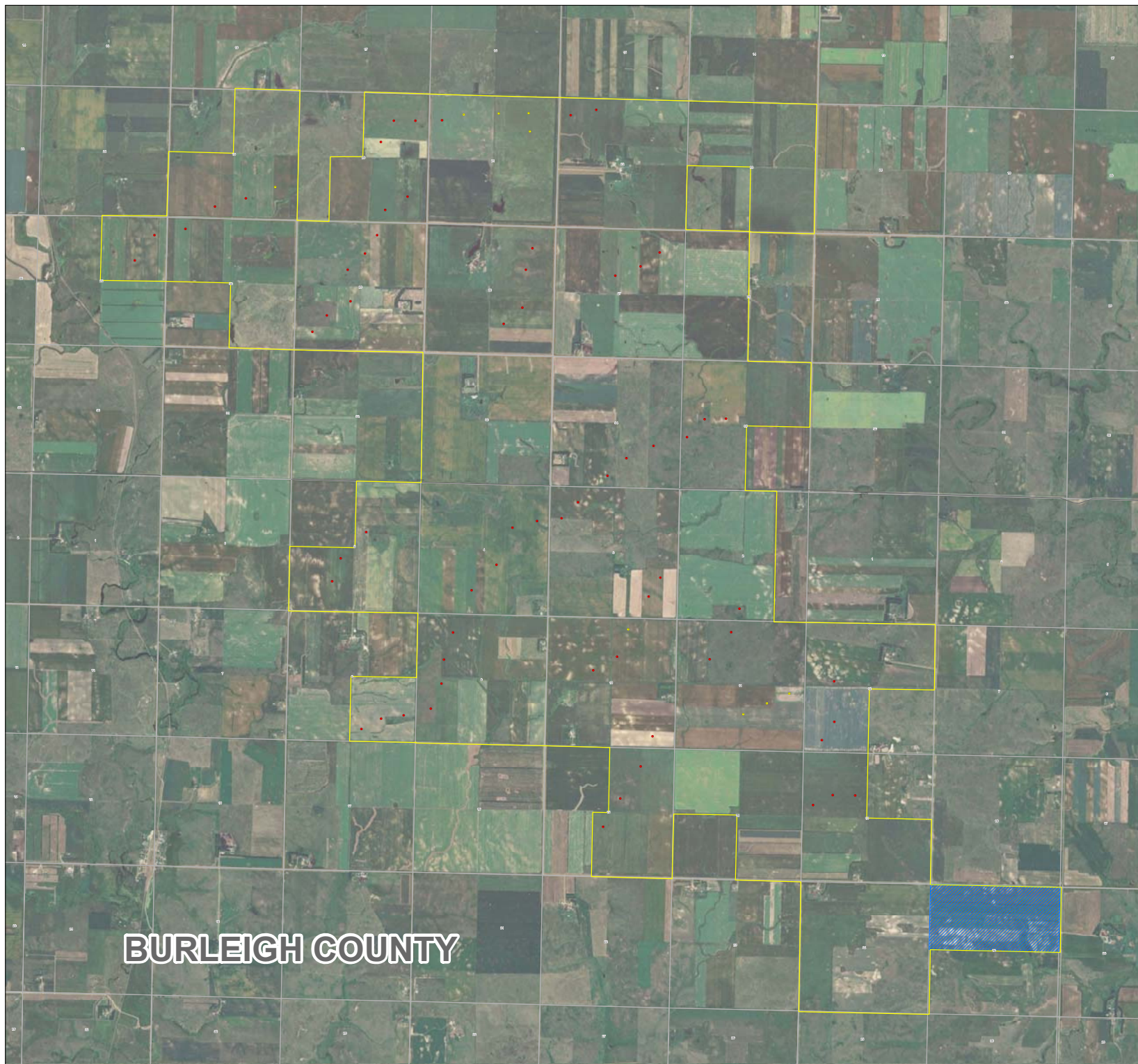


File: P:\FPL Energy\Dakotas\Contract 3935 Baldwin - Burleigh County ND\GIS and Figures\GIS\Spatial\MXD\Baldwin_VicinityMap_AgencyLetter.mxd
Prepared By: william.scales
Coordinate System: NAD 1983 UTM Zone 14N

LOCATION MAP



BURLEIGH COUNTY



Appendix 5 – Photos

Baldwin Scoping Meeting Photos



Photo 1 Attendees at Public Scoping Meeting



Photo 2 Western Displays

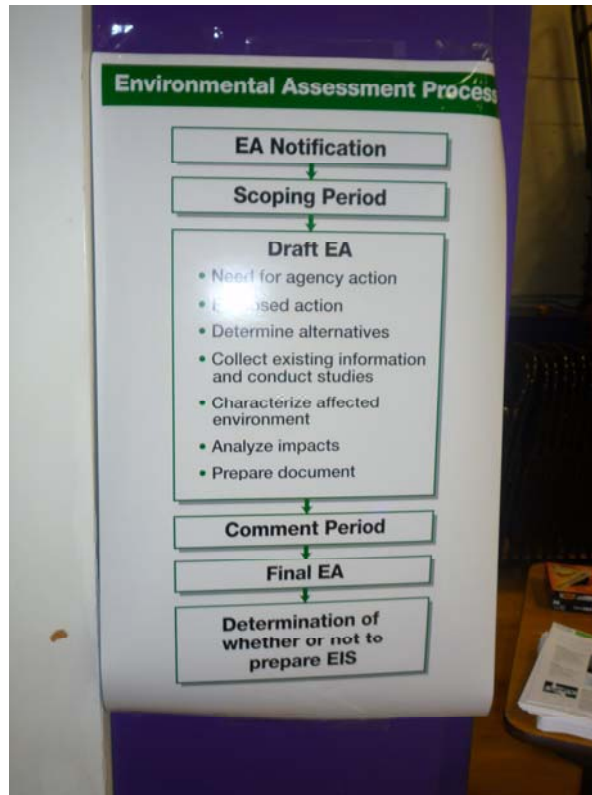


Photo 3 EA Process Flowchart



Photo 4 Attendees Reviewing Project Map



Photo 5 Attendees at Meeting



Photo 6 Project Proponents Answering Questions



Photo 7 Comment Box and Sign-In Table

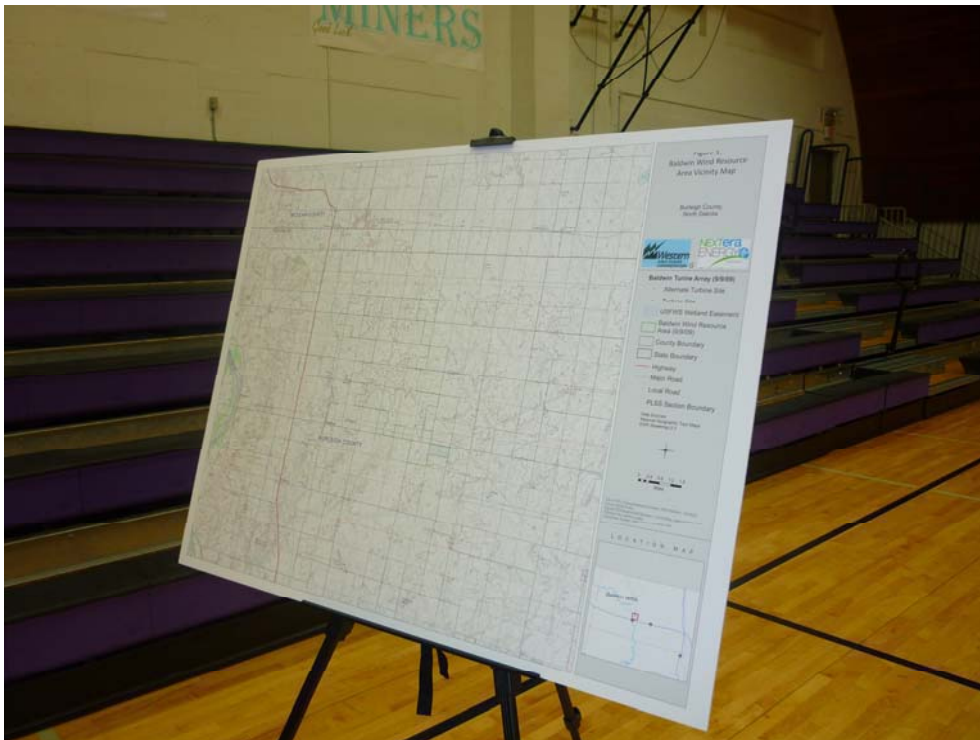


Photo 8 Project Area Map on Display

Appendix 6 – Comments



"VARIETY IN HUNTING AND FISHING"

NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

RECEIVED IN BILLINGS UGPCSR

NOV 16 2009

November 11, 2009

Matt Marsh
Environmental Protection Specialist
Upper Great Plains Region
Western Area Power Administration
PO Box 35800
Billings, MT 59107-5800

Dear Mr. Marsh:

RE: Baldwin Wind Energy Center Project EA

Our primary concern with wind power development is the disturbance of native prairie associated with construction of turbines, access roads, and other associated facilities. We ask that work within native prairie be avoided to the extent possible. This could include micro-siting turbines onto adjacent previously disturbed land, locating access roads on existing section line trails rather than across undisturbed native prairie, etc.

National Wetland Inventory maps indicate numerous wetlands within the proposed project area. We recommend that any unavoidable wetland impacts be replaced in kind, above-ground appurtenances not be placed in wetland areas, and no alterations be made to existing drainage patterns.

We also recommend that routine monitoring for avian and bat mortality be included as part of the facility maintenance plan for the life of the project.

We would appreciate being kept informed as this project progresses, and as other wind power projects are developed in North Dakota.

Sincerely,

(for) Michael G. McKenna
Chief
Conservation & Communication Division

js



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
3425 Miriam Avenue
Bismarck, North Dakota 58501



NOV 10 2009

Mr. Matt Marsh
Western Area Power Administration
Upper Great Plains Customer Service Region
P.O. Box 35800
Billings, Montana 59107-5800

Dear Mr. Marsh:

This is in response to your September 30, 2009, request for environmental information in relation to public scoping for the preparation of an Environmental Assessment (EA) for the proposed Baldwin Wind Energy Center, LLC (Baldwin Wind) 99 megawatt (MW) wind power project near Baldwin, North Dakota. The proposed project is located in Burleigh County, North Dakota:

T. 141 N., R. 78 W., Section 19
T. 141 N., R. 79 W., Sections 2-5, 8-15, 24
T. 142 N., R. 79 W., Sections 19-23, 26-30
T. 142 N., R. 80 W., Section 25

Western Area Power Administration (Western) is the lead Federal agency for the proposed action. We offer the following comments under the authority of and in accordance with the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d, 54 Stat. 250), Executive Order 11990 "Protection of Wetlands", Executive Order 13186 "Responsibilities of Federal Agencies to Protect Migratory Birds", the Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.), the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57), and the National Environmental Policy Act (NEPA) (Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, as amended). The U.S. Fish and Wildlife Service (Service) requests that the recommendations provided in this letter be addressed in Western's EA for the Baldwin Project.

The Service holds certain resources in trust and manages them for the benefit of the American people. These resources include migratory birds, inter-jurisdictional fish, federally-listed threatened and endangered species of plants and animals and their habitats, and units of the National Wildlife Refuge system. One goal of Service policy is that conservation of fish and wildlife resources receive equal consideration with other features of resource development, and that conservation actions are coordinated with those other forms of development. Another goal is to conserve, protect, and enhance fish and wildlife and their habitats, and to facilitate the

balanced development of the Nation's natural resources. When planning an activity, project proponents should give careful consideration to potential impacts to these trust resources and compliance with the laws mentioned above.

Migratory Birds

Adequate consideration for avian and other wildlife resources early in the site evaluation process can help to minimize impacts and facilitate project review. Although current wind turbine technology and proper siting can help to minimize the incidence of avian and bat deaths due to blade, aerial line, and tower strikes, the potential for direct mortality of some migratory birds and bats will remain. Wind power developers, in concert with the Service, can help to ensure that projects proceed with as little impact to migratory birds as possible. This can be accomplished by gathering information on avian resources as they relate to project siting and by implementing measures to minimize impacts to migratory birds from the construction and operation of the wind facility.

Wind developers are encouraged to avoid impacts to prairie and other native habitats to the maximum extent practicable. Avoidance of impacts can be most effectively achieved by taking a landscape-scale view, beginning with the process of prospecting for suitable sites for wind power development. Companies should assess not only those factors that indicate favorable conditions for development, such as a consistent wind resource, access to transmission, willing landowners, available financing, etc., but also anticipated impacts to wildlife and their habitats. Equal consideration should be accorded to wildlife resource conservation as to other features of development. When considering a project in a particular wind resource area, companies should use all available tools to ensure they have taken all practicable steps to avoid impacts to native habitats. This can be accomplished by utilizing GIS products depicting significant areas of contiguous prairie to site development in areas that are already impacted or fragmented. This analysis and potential site comparison should be accomplished prior to making any significant financial commitments, including entering into lease agreements with landowners. The Service's Interim Wind Turbine Siting Guidelines encourage project proponents to conduct a Potential Impact Index (PII) analysis on several potential sites within wind resource areas to assist in their selection of a wind power site that minimizes the potential to impact migratory birds and other wildlife. If the Service's interim guidelines were not used to evaluate potential sites for development, the Service recommends that the developer or Federal agency use another method that compares avian and other wildlife resource impacts on several sites before selecting a particular site for development. The alternatives analysis for the project should describe the potential project sites that were evaluated and why they were rejected or selected based on potential trust resource impacts.

The Service has coordinated with the Avian Power Line Interaction Committee (APLIC) to develop guidelines to assist companies in formulating Avian Protection Plans (APP). These plans are utility-specific and designed to provide a structured way for a company to reduce avian mortality resulting from interactions with electric utility facilities (e.g. collisions and

electrocutions), but we suggest they may be adapted to wind energy facilities as well. The APP can be tailored to each utility's industry-specific and site specific wildlife needs, while in the process furthering avian conservation and improved reliability and customer service. Implementing the principles contained in these APP guidelines will greatly reduce avian risk as well as risk of enforcement under the Migratory Bird Treaty Act (MBTA). The guidelines can be accessed from the Service's website at <http://www.fws.gov/migratorybirds/>. We strongly encourage the project developer of the proposed wind energy facility to investigate the formulation of an APP or if bats may also be affected by the project, an Avian and Bat Protection Plan (ABPP). An example of a completed ABPP can be found at Iberdrola Renewables' website at http://www.iberdrolarenewables.us/pdf/Signed_ABPP_10-28-08.pdf.

To minimize the electrocution hazard to birds, the Service, with support from the Rural Utilities Service, recommends that new or updated overhead power lines be constructed in accordance with the current guidelines for preventing raptor electrocutions. The recommended guidelines can be found in "2006 Suggested Practices for Avian Protection on Power Lines". To increase power line visibility and reduce bird fatalities resulting from collisions with power lines, the Service recommends all new power lines that cross or run adjacent to rivers or large wetlands be modified according to "Mitigating Bird Collisions with Power Lines: The State of the Art in 1994". Both publications can be obtained by writing or calling the Edison Electric Institute, P.O. Box 266, Waldorf, Maryland 20604-0266, (1-800-334-5453) or visiting their website at www.eei.org.

The Migratory Bird Treaty Act prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of the Interior. While the MBTA has no provision for allowing unintentional take, the Service realizes that some birds may be killed by wind power towers or power lines even if all reasonable measures to protect them are used. The Service's Office of Law Enforcement carries out its mission to protect migratory birds through investigations and enforcement, as well as by fostering relationships with individuals, companies, and industries that have taken effective steps to minimize their impacts on migratory birds, and by encouraging others to enact such programs. It is not possible to absolve individuals, companies, or agencies from liability even if they implement avian mortality avoidance or similar conservation measures. However, the Office of Law Enforcement focuses its resources on investigating and prosecuting individuals and companies that take migratory birds without regard for their actions or without following recommendations such as this to avoid take. Siting, construction and operating wind facilities, in accordance with the recommendations provided by the Service, and implementing an APP or ABPP that has been reviewed and approved by the Service, are strong indicators of a good faith effort by wind companies to reduce the impacts to migratory birds.

To avoid impacts to migratory birds or other wildlife during the breeding season (February 1 to July 15), schedule construction for late summer or fall/early winter. If work is proposed to take place during the breeding season or at any other time which may result in the take of migratory birds, eggs, or active nests, the Service recommends that the project proponent arrange to have a qualified biologist conduct a field survey of the affected habitats to determine the absence or presence of nesting migratory birds. If nesting migratory birds are found, we request you contact

this office, suspend construction, or take other measures, such as maintaining adequate buffers, to protect the birds until the young have fledged. The Service further recommends that field surveys for nesting birds, along with information regarding the qualification of the biologist(s) performing the surveys, and any avoidance measures implemented at the project site, be thoroughly documented and that such documentation be shared with the Service and maintained on file by the project proponent at least until such time as construction on the proposed project has been completed.

Threatened and Endangered Species

A list of Federally threatened and endangered species that may occur within the proposed project's area of influence is enclosed (enclosure 1). This list fulfills requirements of the Fish and Wildlife Service under Section 7 of the Endangered Species Act.

If a Federal agency, in this case Western, authorizes, funds, or carries out a proposed action, the responsible Federal agency, or its designated agent, is required to evaluate whether the action "may affect, likely to adversely affect" listed species. If the Federal agency determines the action "may affect, likely to adversely affect" listed species, then the responsible Federal agency shall request formal section 7 consultation with this office, or work with this office to remove the likely adverse effects before proceeding. If the evaluation shows a "no effect" determination for listed species, further consultation is not necessary. If a private entity receives Federal funding for a construction project, or if any Federal permit is required, the Federal agency may designate the fund recipient or permittee as its agent for purposes of informal section 7 consultation.

The Aransas Wood Buffalo Population (AWBP) of whooping cranes is the only self-sustaining migratory population of whooping cranes remaining in the wild. These birds breed in the wetlands of Wood Buffalo National Park in Alberta and the Northwest Territories of northern Canada, and overwinter on the Texas coast. Whooping cranes in the AWBP annually migrate through North Dakota during their spring and fall migrations.

Endangered whooping cranes have been documented using stopover habitat in the vicinity of this proposed wind resource area. The proposed wind project area is located in that portion of the whooping crane migration corridor that includes 75% of all confirmed whooping crane sightings in North Dakota (enclosure 2). The presence of suitable roosting and feeding habitat for whooping cranes indicates the potential for whooping crane presence in the proposed project area. A wind energy project in this wind resource area has the potential to affect whooping cranes during their annual spring and fall migration through North Dakota. Potential effects may be direct (e.g. collision mortality) or indirect (e.g. avoidance of the site resulting in cranes seeking alternate habitat). The interactions of whooping cranes with wind turbines and wind farms are currently not fully known, although it is expected that these large birds with relatively low maneuverability are susceptible to mortality via collisions with turbines. Currently, collisions with power lines are the greatest known source of mortality for fledged whooping cranes, and have accounted for the death or serious injury of at least 46 whooping cranes since 1956.

Fish and Wildlife Service Property Interests

The Service administers Waterfowl Production Areas owned in fee title as well as wetland and grassland easements throughout North Dakota. A review of Service realty records for the proposed project area indicates Service wetland easements interests in T. 141 N., R. 78 W., Section 19, N½., Burleigh County. The Service has an ongoing easement acquisition program and we recommend that for Burleigh County, contact Paul VanNingen, Wildlife Refuge Manager, Long Lake National Wildlife Refuge, 12000 353rd Street SE, Moffit, North Dakota 58560-9740, (701-387-4397), for more specific information relative to Service easements and up to date realty records.

The primary responsibility in protecting these easements is to review all proposed uses to ensure that the requests are compatible with Service easement regulations and various laws and policies. Therefore, these comments and suggestions are made in an attempt to accomplish three goals: 1) avoid impacts to Service grassland and wetland easements in the project area as much as possible; 2) if unavoidable, ensure that any proposed turbine and associated infrastructure impacts (roads, buried collection lines, transmission lines, sub-stations, etc.) on any Service easement areas are kept to an absolute minimum; and 3) investigate all potential alternatives to eliminate or reduce impacts to easement areas to protect the integrity of the easement.

High Value Habitat Avoidance

The proposed project area is located in the Coteau Slope region of North Dakota and includes areas of native mixed-grass prairie. Since the 1800s, North Dakota has lost approximately 75 percent of its native grasslands, primarily due to crop production. The Service recommends avoiding construction or disturbance on native prairie areas.

Native prairie has significant natural resource values including:

1. Provides habitat for a number of migratory and resident grassland birds whose populations are declining.
2. Provides nesting habitat for millions of waterfowl.
3. Contains 200-300 plant species, which provide genetic diversity important to agriculture and medicine.
4. Provides habitat for thousands of insects including the Dakota skipper, a candidate species for listing under the ESA, and other butterflies (Ex: Regal fritillary, Tawny crescent).
5. Crucial for soil and water conservation.
6. Provides recreational opportunities (hunting, bird watching/wildlife observation, hiking).
7. Living laboratories for scientific research.

Our review of NWI maps indicate that wetland areas are located within the project area. NWI data can be accessed directly by visiting their website at wetlands.fws.gov). Section 404 of the Clean Water Act regulates placement of fill materials in certain wetlands. A Corps of Engineers'

404 permit may be required if fill material will be placed in aquatic sites including wetlands. Contact Mr. Dan Cimarosti, Regulatory Office, Corps of Engineers, 1513 South 12th Street, Bismarck, North Dakota 58504 (701-255-0015), to determine their permit requirements. If a 404 permit is required, the Service will provide recommendations on this project to the Corps.

Other high value wildlife habitat types in North Dakota include wooded draws and riparian forests. We recommend that avoiding construction of wind towers and appurtenant facilities in the above habitat types whenever possible.

Construction activities should be conducted in a manner that will minimize impacts to the wildlife and the existing habitat in the project area. To help avoid impacts, we recommend that you:

- Avoid construction in native prairie, if possible, and reseed disturbed native prairie with a comparable native grass/forb seed mixture. Obtain seed stock from nurseries within 250 miles of the project area to insure the particular cultivars are well adapted to the local climate.
- Minimize grassland disturbance by using fewer, larger turbines and limiting new road construction.
- Use underground transmission lines between turbines, as well as to the primary substation. If construction of overhead transmission lines are unavoidable, install and maintain appropriate visual line marking devices on all new line and an equal length of existing line to reduce the potential for avian collision mortality.
- Design meteorological towers to be self standing (no guywires). If towers must be guyed, install and maintain appropriate visual line marking devices on the new towers and an equal number of existing towers to reduce the potential for avian collision mortality
- Locate appurtenant facilities to avoid placement of fill in wetlands along the route.
- Install and maintain appropriate erosion control measures to reduce sedimentation and water quality degradation of wetlands and streams near the project area.
- Replace unavoidable wetland losses with functionally equivalent wetlands.

Research, Monitoring, and Assessment

We encourage project proponents to conduct, at a minimum, three years of collision monitoring studies designed to determine the effect of several factors, such as site selection, turbine designs, the layout of wind plants, wind plant operations, habitat alteration, and changes in available perching and nesting sites, on bird deaths. Annual reports outlining the results of these monitoring studies should be submitted to this office. The Avian Subcommittee of the National Wind Coordinating Committee (NWCC) has developed a guidance document to assist wind energy developers in designing studies that will produce credible and comparable results of avian interaction with wind power plants. The NWCC document, "Studying Wind Energy/Bird Interactions: A Guidance Document. Metrics and methods for determining or monitoring potential impacts on birds at existing and proposed wind energy sites," can be obtained by

contacting the National Wind Coordination Committee, c/o RESOLVE, 1255 23rd Street, Suite 275, Washington, D.C. 20037, or by visiting their website at www.nationalwind.org.

Thank you for the opportunity to provide comments. Please provide our office with a copy of the Draft Environmental Assessment for pre-approval review. If you require further information as project planning proceeds, please contact Terry Ellsworth of my staff, or contact me directly, at (701) 250-4481, or at the letterhead address.

Sincerely,



Jeffrey K. Towner
Field Supervisor
North Dakota Field Office

Enclosures (2)

cc: Long Lake WMD, Project Leader
(Attn: E. Meendering)
Ecological Services, Fish & Wildlife Service, Denver
Branch Conservation Planning Assistance (ERT), Washington DC
Office of Environmental Policy & Compliance, Washington DC
Regulatory Office, Army Corps of Engineers, Bismarck
(Attn: D. Cimarosti)
ND Public Service Commission, Bismarck
Director, ND Game & Fish Department, Bismarck
(Attn: M. McKenna)

FEDERAL THREATENED AND ENDANGERED SPECIES
AND DESIGNATED CRITICAL HABITAT FOUND IN
BURLEIGH COUNTY, NORTH DAKOTA
November 2009

ENDANGERED SPECIES

Birds

Interior least tern (*Sterna antillarum*): Nests along midstream sandbars of the Missouri and Yellowstone Rivers.

Whooping crane (*Grus Americana*): Migrates through west and central counties during spring and fall. Prefers to roost on wetlands and stockdams with good visibility. Young adult summered in North Dakota in 1989, 1990, and 1993. Total population 140-150 birds.

Fish

Pallid sturgeon (*Scaphirhynchus albus*): Known only from the Missouri and Yellowstone Rivers. No reproduction has been documented in 15 years.

Mammals

Gray wolf (*Canis lupus*): Occasional visitor in North Dakota. Most frequently observed in the Turtle Mountains area.

THREATENED SPECIES

Birds

Piping plover (*Charadrius melodus*): Nests on midstream sandbars of the Missouri and Yellowstone Rivers and along shorelines of saline wetlands. More nest in North Dakota than any other state.

DESIGNATED CRITICAL HABITAT

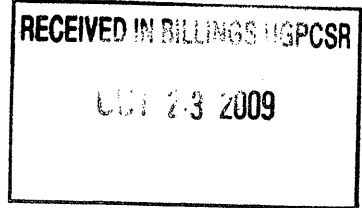
Birds

Piping Plover - Missouri River - Critical habitat includes sparsely vegetated channel sandbars, sand and gravel beaches on islands, temporary pools on sandbars and islands, and the interface with the river.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640



October 20, 2009

North Dakota Regulatory Office

[NWO-2009-2511-BIS]

Department of Energy, WAPA
Attn: Matt Marsh, Project Manager
Upper Great Plains Customer Service Region
P.O. Box 35800
Billings, Montana 59107-5800

Dear Mr. Marsh:

This is in response to a letter received October 2, 2009 requesting Department of the Army, U.S. Army Corps of Engineers (Corps) comments regarding the construction of a 66 wind turbine energy development north of the city of Baldwin in southern Burleigh County, North Dakota by Baldwin Wind Energy Center, LLC (Baldwin Wind).

Corps regulatory offices administer Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Section 10 of the Rivers and Harbors Act regulates work impacting navigable waters. Work over, in, or under navigable waters is considered to have an impact. Section 404 of the Clean Water Act regulates the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in the waters of the United States.

Please submit a location map and completed Corps permit application (copy enclosed) describing all proposed work and construction methodology, to the letterhead address if a Section 10/404 permit is required.

Do not hesitate to contact this office by letter or telephone (701-255-0015) if we can be of further assistance.

Sincerely,

Daniel E. Cimarosti
Regulatory Program Manager
North Dakota

Enclosure

**APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)**

**OMB APPROVAL NO. 0710-0003
EXPIRES: 31 August 2012**

Public reporting burden for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please **DO NOT RETURN** your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
--------------------	----------------------	------------------	------------------------------

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME: First - Middle - Last - Company - E-mail Address -	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) First - Middle - Last - Company - E-mail Address -
6. APPLICANT'S ADDRESS. Address - City - State - Zip - Country -	9. AGENT'S ADDRESS Address - City - State - Zip - Country -
7. APPLICANT'S PHONE NOS. W/AREA CODE. a. Residence b. Business c. Fax	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business c. Fax

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)	
13. NAME OF WATERBODY, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS (if applicable) Address City - State - Zip -
15. LOCATION OF PROJECT Latitude: °N Longitude: °W	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID Municipality Section - Township - Range -	
17. DIRECTIONS TO THE SITE	

18. Nature of Activity (Description of project, include all features)

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
-------------------------------	-------------------------------	-------------------------------

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres
Or
Liner Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list).

Address –
City – State – Zip –

26. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
--------	----------------	-----------------------	--------------	---------------	-------------

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Instructions for Preparing a
Department of the Army Permit Application**

Blocks 1 through 4. To be completed by Corps of Engineers.

Block 5. Applicant's Name. Enter the name and the E-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the application, please attach a sheet with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant Telephone Number(s). Please provide the number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by applicant, if an agent is to be employed.

Block 12. Proposed Project Name or Title. Please provide name identifying the proposed project, e.g., Landmark Plaza, Burned Hills Subdivision, or Edsall Commercial Center.

Block 13. Name of Waterbody. Please provide the name of any stream, lake, marsh, or other waterway to be directly impacted by the activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Project Street Address. If the proposed project is located at a site having a street address (not a box number), please enter it here.

Block 15. Location of Proposed Project. Enter the latitude and longitude of where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality that the site is located in.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide description of the proposed project location, such as lot numbers, tract numbers, or you may choose to locate the proposed project site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed project site if known

Block 18. Nature of Activity. Describe the overall activity or project. Give appropriate dimensions of structures such as wing walls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles, or float-supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 18.

Block 19. Proposed Project Purpose. Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work.

RECEIVED IN BILLINGS UGPCSR
OCT 22 2009



Natural Resources Conservation Service
P.O. Box 1458
Bismarck, ND 58502-1458

October 19, 2009

Matt Marsh
Western Area Power Administration
Upper Great Plains Customer Service Region
P.O. Box 35800
Billings, Montana 59107-5800

RE: (Baldwin Wind) – B0401.BL, Burleigh County, ND

Dear Mr. Marsh:

The Natural Resources Conservation Service (NRCS) has reviewed your letter regarding the referenced activity and acknowledges your request to determine whether your project affects farmland as defined in Sec. 658.2(a) of the Code of Federal Regulations (CFR) dealing with the Farmland Protection Policy Act (FPPA).

Important Farmlands - NRCS has a major responsibility with FPPA in documenting conversion of farmland (i.e., prime, statewide, and local importance) to non-agricultural use. It is not clear from your letter whether Federal funding will be used for this project. If the project is supported by Federal funding or actions, FPPA will apply to each wind turbine site and the Farmland Conversion Impact Rating Form AD-1006 must be completed. A negative response is not required.

Wetlands – The Wetland Conservation Provisions of the 1985 Food Security Act, as amended, provide that if a USDA participant converts a wetland for the purpose of, or to have the effect of, making agricultural production possible, loss of USDA benefits could occur. NRCS has developed the following guidelines for the installation of buried utilities. If these guidelines are followed, the impacts to the wetland(s) will be considered minimal allowing USDA participants to continue to receive USDA benefits. Following are the requirements: 1) Disturbance to the wetland(s) must be temporary, 2) no drainage of the wetland(s) is allowed (temporary or permanent), 3) mechanized landscaping necessary for installation is kept to a minimum and preconstruction contours are maintained, 4) temporary side cast material must be placed in such a manner not to be dispersed in the wetland, and 5) all trenches must be backfilled to the original wetland bottom elevation.



Mr. Marsh
Page 2

NRCS would recommend that impacts to wetlands be avoided. If the project requires passage through or disturbance of a wetland, NRCS can complete a certified wetland determination, if requested by the landowner/operator.

If you have additional questions pertaining to FPPA, please contact Steve Sieler, State Soil Liaison, at (701) 530-2019.

Sincerely,

A handwritten signature in black ink, appearing to read "John Glover", written in a cursive style.

JOHN GLOVER
Acting State Conservationist

cc:

Jay D. Fuhrer, DC, NRCS, Bismarck, ND
Mike Collins, ASTC (FO), NRCS, Jamestown, ND

Western needs your input to identify issues and concerns for the proposed Baldwin Wind Energy Center Project EA

If you have any issues, concerns, or questions that you would like addressed in the Baldwin Wind Energy Center Project Environmental Assessment, please complete this response sheet and send it to Matt Marsh, Environmental Protection Specialist, Upper Great Plains Region, Western Area Power Administration, P.O. Box 35800, Billings, Montana 59107-5800, Fax: (406) 247-7408, E-mail: mmarsh@wapa.gov. If you prefer, give us a call at 1-800-358-3415 or email Matt Marsh at mmarsh@wapa.gov. You may also call Mr. Marsh directly at 406-247-7385.

Share your issues, concerns, or questions with us: (please send additional pages if you wish)

NONE @ THIS TIME.

Our mailing list

To have your name added or removed from our mailing list for this project, please check the appropriate box and return this response sheet to us. If you do not ask us to remove your name from our mailing list, we'll send you future EA-related announcements.

Yes, add my name to the mailing list to receive future information

No, please remove my name from your mailing list

Sign up to receive the EA for Review

Please also let us know if you would like to receive a copy of the Draft Environmental Assessment for Pre-Approval Review when it is available.

Send me the EA for review

Tell us how to reach you

Please give us your name, address, phone, fax, and e-mail, so we can keep you up-to-date about this project.

Name: JOHN W. SCHULZ Title: PRIVATE CITIZEN

Mailing address: 1926 SOUTH GRANDVIEW LANE

City, State, Zip: BIEMARCK, ND 58503

Phone: 701-255-9504 Fax: _____ E-mail: johnschulz@bis.midco.net

Contact Us

For more information, contact Mr. Matt Marsh, Western Area Power Administration, Phone: (406) 247-7385, E-mail: mmarsh@wapa.gov

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Send me the EA for review

Tell us how to reach you

Please give us your name, address, phone, fax, and e-mail, so we can keep you up-to-date about this project.

Name: JOHN O. Spitzer Title: Ecklund Township Chairman of Board of Supervis
Mailing address: 24800 41st. NE
City, State, Zip: Wilton, ND. 58579 Landowner
Phone: 701-223-0948 Fax: _____ E-mail: Spitz22jo@msn.com

Contact Us

For more information, contact Mr. Matt Marsh, Western Area Power Administration, Phone: (406) 247-7385, E-mail: mmarsh@wapa.gov

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Share your issues, concerns, or questions with us: (please send additional pages if you wish)

It looks good to me.

Our mailing list

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Yes, add my name to the mailing list to receive future information

No, please remove my name from your mailing list

Sign up to receive the EA for Review

Please also let us know if you would like to receive a copy of the Draft Environmental Assessment for Pre-Approval Review when it is available.

Send me the EA for review

Tell us how to reach you

Please give us your name, address, phone, fax, and e-mail, so we can keep you up-to-date about this project.

Name: Jeff and Robyn Spitzer Title: Farmer

Mailing address: B67

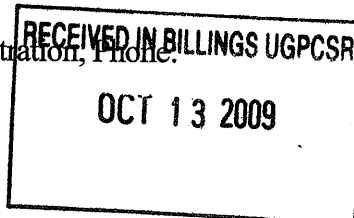
City, State, Zip: Wilton ND 58579

Phone: 701-734 8115 Fax: _____ E-mail: _____

391 5107

Contact Us

For more information, contact Mr. Matt Marsh, Western Area Power Administration, Phone: (406) 247-7385, E-mail: mmarsh@wapa.gov



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Sign up to receive the EA for Review

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Send me the EA for review

Tell us how to reach you

Please give us your name, address, phone, fax, and e-mail, so we can keep you up-to-date about this project.

Name: Warren Opp Title: owner

Mailing address: 4715 Hwy 21

City, State, Zip: Lark, ND 58535

Phone: 701-557-3120 Fax: _____ E-mail: _____

Contact Us

For more information, contact Mr. Matt Marsh, Western Area Power Administration, Phone: (406) 247-7385, E-mail: mmarsh@wapa.gov

RECEIVED IN BILLINGS UGPCSR

OCT 08 2009

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Send me the EA for review

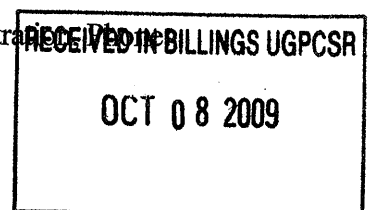
Tell us how to reach you

Please give us your name, address, phone, fax, and e-mail, so we can keep you up-to-date about this project.

Name: Toby Sheldon Title: _____
Mailing address: 14400 41st St. NE
City, State, Zip: Baldwin MD 58521
Phone: 701-220-1122 Fax: _____ E-mail: tsheidon@nd.gov

Contact Us

For more information, contact Mr. Matt Marsh, Western Area Power Administration
(406) 247-7385, E-mail: mmarsh@wapa.gov



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Send me the EA for review

Tell us how to reach you

Please give us your name, address, phone, fax, and e-mail, so we can keep you up-to-date about this project.

Name: Matthew Ponish Title: National Environmental Compliance Manager
 Mailing address: 1400 Independence Ave SW, Stop 0513
 City, State, Zip: Washington DC 20250
 Phone: 2027206853 Fax: _____ E-mail: matthew.ponish@wdc.usda.gov

Contact Us

For more information, contact Mr. Matt Marsh, Western Area Power Administration, Phone: (406) 247-7385, E-mail: mmarsh@wapa.gov



Baldwin Wind Energy Center Open House

October 21, 2009, 5-8 PM Wilton School Gym

COMMENT SHEET

After reviewing all of the exhibits and speaking with project representatives, please share your comments with us regarding the Baldwin Wind Energy Center Environmental Assessment.

Comments:

I represent Envision Safety Services, LLC located in Bismarck, ND. We provide safety consulting, supervision, training etc. through and after construction projects. I would invite the opportunity to meet with the safety director for Nextera Energy and discuss the possibility of doing safety work during your construction project.

To receive more information regarding the Environmental Assessment for the Baldwin Wind Energy Center, please provide us your contact information.

Name: Doug Hartman
Address: 3712 Lockport St. Suite E
City, State, Zip: Bismarck, ND 58503
Phone Number: 701-250-0123
Email: doug@envisionnrg.com
Representing (organization, company, etc.) Envision Safety Services, LLC.

After completing the comment form, please submit it in the comment box, or mail/fax to:
Matt Marsh, Environmental Protection Specialist, Western Area Power Administration
PO Box 35800, Billings, MT 59107-5800, Fax: (406) 247-7408. You may also submit your comments via phone at (800) 358-3415 or via email to mmarsh@wapa.gov. **Your comments are important to us and will be accepted through November 21, 2009.**

Thank you for your participation.



Scoping Meeting
Baldwin Wind Energy Center
Environmental Assessment (EA)

Thank you for your interest in the proposed Baldwin Wind Energy Center EA. Please complete the appropriate sections of this form to be included on the EA mailing list and/or to provide comments.

- I would like to be kept informed of the ongoing progress of this Project. Please include my name on the mailing list.
I prefer electronic/email communication.
I prefer paper mailings.

Please Print Contact Info Below

Name: Steve Merrill
Organization: none
E-mail address:
Daytime Phone No. (optional):
Street Address: 1110 W. Highland Acres
City / State / Zip Code: Bismarck ND 58501

Please indicate any questions, comments or concerns you have about the proposed agreement modification in the comment section below (continue on separate sheet if necessary).

I am impressed with the good work you are doing in developing sustainable, wind energy. Keep up the good work!

Thank you for your time and interest.



Baldwin Wind Energy Center Open House

October 21, 2009, 5-8 PM Wilton School Gym

COMMENT SHEET

After reviewing all of the exhibits and speaking with project representatives, please share your comments with us regarding the Baldwin Wind Energy Center Environmental Assessment.

Comments:

This looks like a good project.

We need more wind energy

Janet Merrill

Rumarch

To receive more information regarding the Environmental Assessment for the Baldwin Wind Energy Center, please provide us your contact information.

Name: _____

Address: _____

City, State, Zip: _____

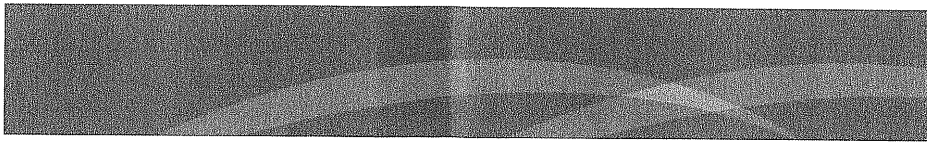
Phone Number: _____

Email: _____

Representing (organization, company, etc.) _____

After completing the comment form, please submit it in the comment box, or mail/fax to: Matt Marsh, Environmental Protection Specialist, Western Area Power Administration PO Box 35800, Billings, MT 59107-5800, Fax: (406) 247-7408. You may also submit your comments via phone at (800) 358-3415 or via email to mmarsh@wapa.gov. **Your comments are important to us and will be accepted through November 21, 2009.**

Thank you for your participation.



Baldwin Wind Energy Center Open House

October 21, 2009, 5-8 PM Wilton School Gym

COMMENT SHEET

After reviewing all of the exhibits and speaking with project representatives, please share your comments with us regarding the Baldwin Wind Energy Center Environmental Assessment.

Comments:

I would like to know when the projected start date of the project and if you have a buyer for the Baldwin Wind Center as of now.

To receive more information regarding the Environmental Assessment for the Baldwin Wind Energy Center, please provide us your contact information.

Name: *Michelle Schroeder*
Address: *19701 145th St NE*
City, State, Zip: *Baldwin ND 58521*
Phone Number: *703-46118*
Email: *MLS200@yahoo.com*
Representing (organization, company, etc.): *Landowner*

After completing the comment form, please submit it in the comment box, or mail/fax to:
Matt Marsh, Environmental Protection Specialist, Western Area Power Administration
PO Box 35800, Billings, MT 59107-5800, Fax: (406) 247-7408. You may also submit your comments via phone at (800) 358-3415 or via email to mmarsh@wapa.gov. **Your comments are important to us and will be accepted through November 21, 2009.**

Thank you for your participation.

From: [Arlis Waltos](#)
To: mmarsh@wapa.gov;
cc: awaltos@fs.fed.us;
Subject: Baldwin Wind Energy Center Project EA
Date: Friday, October 23, 2009 4:00:37 PM

Hi, we missed the meeting in Wilton this week. Will you please add our names to receive future information.

Gerald & Arlis Waltos
6901 201st Ave. NE
Baldwin, ND 58521

Thank you.

Arlis Waltos, DPG
240 W. Century Ave.
Bismarck, ND 58503 tel: 701-250-4463, ext. 102

From: Brodin.Molly@epamail.epa.gov
To: mmarsh@wapa.gov;
Subject: EPA recommendations for preparation of Baldwin Wind Draft EA
Date: Wednesday, October 28, 2009 3:59:15 PM

Dear Mr. Marsh,

Thank you for providing the letter notifying EPA Region 8 of Western's intent to prepare an EA for the proposed Baldwin Wind Project in Burleigh County, ND. We understand from the letter that the proposed project would involve construction of approximately 66 wind turbine generators on approximately 12,000 acres of leased land. Included in the project would be construction of additional access roads as necessary, with permanent width of 32 feet and temporary construction width of 50 feet. Also included is installation of an underground electrical collection system, requiring vegetation clearing to 30 feet wide as well as trenching, and a collector substation occupying approximately 1.4 acres.

EPA notes that Burleigh County is located in the prairie pothole region of North Dakota. Additionally, we note, from the map provided and additional study of satellite images of the project area, that the proposed project area appears to contain a significant percentage of wetlands. The EA should address potential impacts to all resources of concern for the project area, but we recommend particular attention be given to wetland impacts.

EPA considers the protection, improvement, and restoration of wetlands and riparian areas to be a high priority. Wetlands and riparian areas increase landscape and species diversity, support many species of western wildlife, and are critical to the protection of water quality and designated beneficial water uses. Executive Order (EO) 11990 directs Federal Agencies to "take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency's responsibilities." The EA should describe how the pipeline alternatives will address the wetland protection goals in EO 11990, as applicable.

Installation of wind turbine generators, access road construction, electrical collection system installation, and construction of the collector substation all have potential to impact wetlands in the proposed project area. Please note that wetland impacts should be avoided and minimized, to the maximum extent practicable, and then unavoidable wetland impacts should be compensated for through wetland

restoration, creation, or enhancement. Wetland mitigations often require evaluation of less environmentally damaging project alternatives. In general, the required compensatory mitigation should be located within the same watershed as the impact site, and should be located where it is most likely to successfully replace lost functions and services. Specific information on mitigation plans should be provided, including the type and location of planned mitigation; this mitigation plan should include consideration of direct, indirect, and cumulative effects.

EPA Region 8 would like to receive a review copy of the Draft EA. Please send it to:

Larry Svoboda, Program Director
EPA Region 8 (8EPR-N)
1595 Wynkoop Street
Denver, CO 80202-1129

Thank you for the opportunity to comment during the scoping period for this project. We look forward to reviewing the Draft EA. If you have any questions on these comments, please contact me via e-mail or at the phone number below.

Regards,

Molly Brodin
U.S. Environmental Protection Agency (8EPR-N)
Ecosystems Protection and Remediation
National Environmental Policy Act
1595 Wynkoop St.
Denver, Colorado 80202
(303) 312-6577

From: [Matt Marsh](#)
To: [Chuck Peterson;](#)
Subject: Re: Baldwin Wind farm
Date: Friday, October 23, 2009 12:08:35 PM

Hi Chuck. We only do web sites for our EIS projects. I'm not sure if NextEra Energy has a project web site for this. I will add your name to our EA project list. Thanks for your interest in our project.
Matt

Matt Marsh
Environmental Protection Specialist
Western Area Power Administration
P.O. Box 35800
Billings, MT 59107-5800
406-247-7385 (office)
406-670-7479 (cell)

>>> "Chuck Peterson" <C.Peterson@jobberswarehouse.com> 10/21/2009 9:31 AM >>>

Please add my name and address to receive information concerning the Baldwin Wind Project. Is there a website?

Chuck Peterson
17850 28th St NW
Baldwin, ND 58521
C2221111@wildblue.net .

From: [Matt Marsh](#)
To: [Diane Enger](#);
Subject: Re: Mailing List -
Date: Friday, October 23, 2009 12:10:46 PM

Hi Diane,
I will add you to our mailing list. Thanks for your interest in our project. If you have any questions, comments or concerns please feel free to email or call me at any time. Thanks.
Matt

Matt Marsh
Environmental Protection Specialist
Western Area Power Administration
P.O. Box 35800
Billings, MT 59107-5800
406-247-7385 (office)
406-670-7479 (cell)

>>> "Enger, Diane" <Diane.Enger@securiannnd.com> 10/21/2009 9:24 AM >>>
Please add me to the Wilton/Baldwin, ND project mailing list.

Diane Enger
c/o Betty Franklund
1127 N. 29th Street
Bismarck, ND 58501

My home phone number is (701) 224-1016 or you can reach Betty Franklund at (701) 223-2919.

Please let me know if you have any questions.

Thank you,
Diane Enger

***Diane "Franky" Enger, Office Administrator
Securian Financial Advisors of ND, Inc.
4431 Memorial Highway
Mandan, ND 58554
P: (701) 663-8401 F: (701) 663-8402
www.securiannnd.com***

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United States Department of the Interior
National Park Service
Lewis & Clark National Historic Trail
601 Riverfront Drive
Omaha, Nebraska 68102-4226



OFFICIAL CORRESPONDENCE SENT VIA ELECTRONIC MAIL

NO HARD COPY TO FOLLOW

L7615 (LECL-RS)

November 20, 2009

Mr. Matt Marsh
Environmental Protection Specialist
Western Area Power Administration
P.O. Box 35800
Billings, Montana 59107-5800

Dear Mr. Marsh:

The National Park Service (NPS) reviewed the notice soliciting comments on the scope of an Environmental Assessment (EA) for the proposed Baldwin Wind Energy Center in Burleigh County, North Dakota. Please consider the following comments in developing the EA for this project.

The Lewis and Clark National Historic Trail (the Trail) was established by Congress in an amendment to the National Trails System Act in 1978, and is administered by NPS. Under this Act, the NPS is charged with the identification and protection of the historic route, remnants, and artifacts of the Lewis and Clark Corps of Discovery Expedition for public use and enjoyment.

The Trail is located near the proposed Baldwin Wind Energy Center. The Expedition traveled the Missouri River through North Dakota in October, 1804 as they headed west and in August, 1806 on their return journey. U.S. Highway 83, on the east side of the Missouri River and North Dakota Highway 6, on the west side of the river are designated Lewis and Clark auto tour routes in this area. In addition, North Dakota Highways 1804 and 1806 were named in commemoration of the Expedition. The public follows the historic Trail on these roadways and along or on the Missouri River.

While NPS supports efforts to produce clean energy, we urge avoidance or minimization of adverse impacts to Trail resources from the proposed project. Potential impacts to the natural, cultural, recreational, and scenic values of the Trail should be examined in the EA. There is a great deal of local, regional, and national significance in recognizing and preserving the resources of the Lewis and Clark National Historic Trail.

The NPS is very concerned about cumulative visual impacts to the Trail from this proposed project and similar projects either existing or forecast in the region and all along the Trail. Trail visitors drawn to the area for its scenic or historic qualities are likely to be sensitive to disruptions of the landscape by man-made structures. Given their size and blade rotation, wind turbines attract attention on the landscape. As currently outlined in the project area vicinity map,

the closest turbine is sited less than two miles from the Trail. The NPS requests that wind turbines be sited outside the viewshed of the Trail wherever possible. After consideration has been given to siting turbines outside the Trail viewshed, a vigorous visual impact assessment must be completed and included in the EA.

This project is sited immediately south of the existing Wilton Wind Energy Center project that has thirty-three turbines. These wind developments require interconnection to existing or new transmission lines and electrical substations and construction of access roads. The cumulative impact of these and other wind developments, including necessary infrastructure, must be evaluated in the EA.

Thank you for the opportunity to comment. We request a copy of the draft EA when it is available for review. If you have questions regarding our comments, or would like more information on the Trail, please contact Chief of Resources Stewardship Dan Wiley at 402-661-1830 or Dan_Wiley@nps.gov.

Sincerely,

/s/ Mark R. Weekley

Mark Weekely
Superintendent

cc:
Nick Chevance
Regional Environmental Coordinator
Midwest Regional Office
601 Riverfront Drive
Omaha, Nebraska 68102

No, our comments are still applicable, just with the correction on which roads are the designated auto tour route in North Dakota.

Thank you,

Denise L. Nelson
Environmental Protection Specialist
Lewis & Clark National Historic Trail
601 Riverfront Drive
Omaha, NE 68102

Phone: 402-661-1812
Fax: 402-661-1813

"Matt Marsh"
<MMarsh@wapa.gov>

11/30/2009 10:09
AM

<Denise.Nelson@nps.gov>

To

cc

Subject

Re: NPS comments on Baldwin Wind
Energy Center in Burleigh
County, ND

Hi Denise,
Would you like to withdraw your comments then?
Matt

Matt Marsh
Environmental Protection Specialist
Western Area Power Administration
P.O. Box 35800
Billings, MT 59107-5800
406-247-7385 (office)
406-670-7479 (cell)

>>> <Denise.Nelson@nps.gov> 11/24/2009 3:27 PM >>>
Hi Matt,

I'm working on comments for a proposed transmission line (Minnkota Power Cooperative) north of Bismark, ND and learned from our Outdoor Recreation Planner that North Dakota Highways 1804 and 1806 are the designated Lewis and Clark auto tour routes in North Dakota. I had incorrectly indicated in our November 20th comment letter that Hwys 83 and 6 are the designated auto tour routes in ND. U.S. Highway 83 and North Dakota Highway 6 are designated on the maps created for development of the Lewis and Clark National Historic Trail in the National Trails System Act and may have once also been the official auto tour route in ND. I regret the error and apologize for the confusion.

Please feel free to contact me if you have any questions. Have a Happy Thanksgiving!

Denise L. Nelson
Environmental Protection Specialist
Lewis & Clark National Historic Trail
601 Riverfront Drive
Omaha, NE 68102

Phone: 402-661-1812
Fax: 402-661-1813

"Matt Marsh"
<mmarsh@wapa.gov>

11/20/2009 03:36
PM

<Denise.Nelson@nps.gov>

To

cc

Subject

Re: NPS comments on Baldwin Wind
Energy Center in Burleigh
County, ND

Thanks for the comments Denise. Have a great weekend.
Matt

Matt Marsh
Environmental Protection Specialist
Western Area Power Administration
P.O. Box 35800
Billings, MT 59107-5800
406-247-7385
>>> <Denise.Nelson@nps.gov> 11/20/09 1:38 PM >>>

Hello Matt,

Scoping comments from the Lewis and Clark National Historic Trail on the proposed Baldwin Wind Energy Center are attached.

Thank you for the opportunity to comment and please feel free to contact me with any questions.

(See attached file: Baldwin_Wind_Energy_LECLcomment112009.pdf)

Environmental Protection Specialist
Lewis & Clark National Historic Trail
601 Riverfront Drive
Omaha, NE 68102

Phone: 402-661-1812
Fax: 402-661-1813



John Hoeven, Governor
Douglass A. Prehal, Director

1600 East Century Avenue, Suite 3
Bismarck, ND 58503-0649
Phone 701-328-5357
Fax 701-328-5363
E-mail parkrec@nd.gov
www.parkrec.nd.gov



November 13, 2009

Matt Marsh
U.S. Department of Energy
Western Area Power Administration
Upper Great Plains Customer Service Region
P.O. Box 35800
Billings, MT 59107-5800

Re: Baldwin Wind Energy Center Project

Dear Mr. Marsh:

The North Dakota Parks and Recreation Department has reviewed the above referenced project proposal to construct a wind energy center located in Section 19, T141N, R78W; Sections 2-5, 8-15, and 24, T141N, R79W; Sections 19-23, 26-30, and 33-35, T142N, R79W; and Section 25, T142N, R80W; Burleigh County.

Our agency scope of authority and expertise covers recreation and biological resources (in particular rare species and ecological communities). The project as defined does not affect state park lands that we manage or Land and Water Conservation Fund recreation projects that we coordinate.

The North Dakota Natural Heritage biological conservation database has been reviewed to determine if any current or historic plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, there are no known occurrences within or adjacent to the project area.

Because this information is not based on a comprehensive inventory, there may be species of concern or otherwise significant ecological communities in the area that are not represented in the database. The lack of data for any project area cannot be construed to mean that no significant features are present. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

Given the potential for not only habitat disturbance and disruption but the threat to nesting, feeding and migratory bird and bats in the area we suggest that all efforts be made to avoid impacts to wildlife species and their habitats. In an effort to avoid or minimize impacts to wildlife and their habitats we encourage proper evaluation of all potential wind energy sites. To identify and assess adverse impacts to wildlife we suggest pre and post construction avian and bat monitoring studies be conducted.

Regarding any reclamation efforts, we recommend that any impacted areas be revegetated with species native to the project area.

Thank you for the opportunity to comment on this project. Please contact Kathy Duttonhefner (701-328-5370 or kgduttonhefner@nd.gov) of our staff if additional information is needed.

Sincerely,

Jesse Hanson, Coordinator
Planning and Natural Resources Division

R.USNDNHI*2009-327

.....
Play in our backyard!



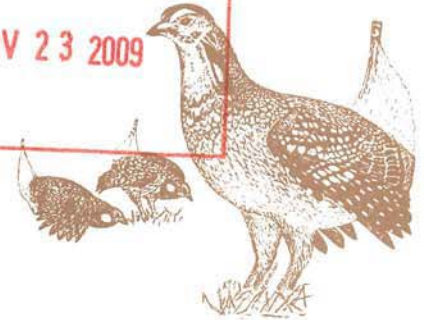
North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502

RECEIVED IN BILLINGS UGPCSR

NOV 23 2009



November 16, 2009

Mr. Matt Marsh
Environmental Protection Specialist
Upper Great Plains Region
Western Area Power Administration
PO Box 35800
Billings, MT 59107-5800

Mr. Marsh:

This letter is in response to the scoping process for the proposed Baldwin Wind Energy Center Project Environmental Assessment. The North Dakota Chapter of The Wildlife Society (Chapter) is generally supportive of the wind industry as a renewable source of “green” energy that can be produced locally. The Chapter is concerned, however, about the impacts that wind facilities placed in grasslands, particularly extensive tracts of native prairie, have on ecosystem health and wildlife. In a 2007 report, *Environmental Impacts of Wind-Energy Projects*, by the National Research Council to the U.S. Congress, the Council recognized that the construction and operation of wind-energy facilities directly influence ecosystem structure. These influences include removal of vegetation, disturbance, compaction of soil, soil erosion, and changes in hydrologic features. Wildlife is impacted directly through mortality or indirectly through alteration of habitat and behavioral avoidance. Furthermore, research conducted in various parts of the United States indicates small-scale displacement of songbirds. Specifically, research conducted in North Dakota and South Dakota by the US Geological Survey indicates displacement of some species of grassland songbirds by wind facilities.

The Chapter is particularly concerned with the impact to wildlife of wind facilities placed on the physiographic region of the Missouri Coteau, as the Baldwin project is. The Missouri Coteau contains large expanses of unfragmented grasslands intermixed with millions of wetlands and is a vital breeding area for many grassland and wetland nesting birds. In addition, it is a hunter’s paradise and a prime area for ecotourism potential. The Missouri Coteau is in the midst of the Central Flyway, a migratory corridor used by millions of game birds and other species during spring and fall. It is also an endangered ecosystem, even more so than tropical rainforest. Only about 30% of mixed-grass prairie remains in North America. The Missouri Coteau is critically important for wildlife in North Dakota, as well as to the hunters, outdoor enthusiasts, and operators of ecotourism industries that value these irreplaceable resources. The importance of tourism to the state’s economy is underscored by the fact that the tourism industry ranks second in its contribution to the state’s economic base; tourism generated \$3.96 billion in 2008. Hunting contributes about \$365 million annually to the state’s tourism industry.

The Chapter is most supportive of wind facilities that are placed in habitats of low value to wildlife, such as cropland in already predominantly agricultural landscapes. The Chapter is pleased that the majority of the Baldwin project is sited in cropland. In areas where turbine placement on grasslands is unavoidable, the Chapter urges mitigation in ratios exceeding 1:1. That is to say, for every acre of grassland destroyed, more than an acre should be restored or protected. Native prairie should receive the highest ratio, followed by planted grasslands. The Chapter realizes that there is no established system in North Dakota for this type of mitigation for wind facilities, but also realizes that Basin Electric Power and BP Alternative Energy and Clipper WindPower Development (for a jointly owned South Dakota project), have committed to voluntary conservation measures. The Chapter applauds these efforts.

The Chapter does have some concerns about the larger landscape in which the Baldwin project is embedded. The Baldwin project is not the only wind facility in the immediate area. Wilton I and II, also referred to as the Burleigh County Wind Energy Center, are immediately adjacent to the Baldwin project. Because of current regulations, none of these wind facilities requires oversight by the North Dakota Public Service Commission, other than for powerline route considerations. Each limited liability corporation is registered independently, and does not trigger state regulation due to the state cutoff for regulatory review of >60 MW. Wildlife and ecosystems, however, do not recognize these cutoffs. Many plant and animal species are sensitive to anthropogenic disturbance, be it increased human presence on the landscape or the introduction of a non-native plant into the environment. These types of influences seldom work independently on wildlife. The combination of new roads, more vehicular traffic, increased human presence, alteration of wetlands, introduction of non-native plants, the building of very large structures on the landscape (i.e., the wind turbines themselves), and other anthropogenic disturbances, are termed cumulative impacts. The cumulative impacts of wind developments and other anthropogenic pressures on wildlife are unknown. Whereas one wind facility may have no discernible negative influence on wildlife, the accumulation of numerous wind facilities built in the same area may begin to break down species' thresholds of tolerance to disturbances.

The three "small" projects, Wilton I, II, and Baldwin, are in essence one wind facility, comprising 132 turbines, but because of current state regulations, the facilities' biological effects could accumulate without the benefit of state regulatory review. The Chapter strongly believes that each new wind facility should be considered in the context of other existing and planned projects in the region. This consideration of cumulative effects should include *all* other anthropogenic impacts in the area, including such things as additional transmission lines, roads, and other types of infrastructure that may or may not be unrelated to wind facilities. Perhaps these three projects will have minimal impact on the environment, as there are already highways, railroads, transmission lines, and railroads in this area. However, this can not be ascertained without a cumulative impacts analysis.

On a larger geographic scale, the Chapter would like to see addressed in the EA cumulative impacts section some discussion on how the Baldwin wind facility and the other wind facilities for which WAPA is involved in North Dakota might have cumulative impacts to wildlife and the environment. At both the local and state levels, the Chapter looks forward to reviewing the cumulative impacts section of the draft EA.

The Baldwin project is within the migration corridor of the Whooping Crane, a federally endangered species. Mortality by transmission lines is a source of mortality for Whooping Cranes. Where feasible, power lines should be buried, all above-ground lines should have bird deterrents, and the use of guy wires should be avoided. If lines cannot be buried, markers should be required on guy wires and overhead transmission lines.

Because Wilton I, II, and Baldwin are all subsidiaries of NextEra Energy, it seems very likely that the parent company had intentions of planning for a 132-turbine (and perhaps an ultimately even larger) wind-resource area. The Chapter understands the highly secretive nature of the wind industry when dealing with industry competitors over easements and other issues. However, the Chapter urges wind developers to contact state and federal natural-resource agencies early in the planning process to discuss the entire scope of a wind-resource area, and thus ultimate impact footprint, regardless of current regulations. If contacted early, agencies and wind developers can address concerns over potential cumulative impacts, as well as ways to avoid or minimize them. The piecemeal approach currently in effect, although unfortunately legal, ignores biological realities.

Another benefit of early contact with state and federal agencies, as well as other concerned entities, is the opportunity to coordinate efforts to study the potential impacts of wind facilities on wildlife. There are numerous unanswered questions about the impacts of wind facilities on wildlife. Whereas many wind developers conduct pre-operational baseline surveys, and sometimes post-operational monitoring surveys,

these surveys are not always pertinent to a particular region. Money might be better spent on surveys of a different nature. For example, in North Dakota, very little is known about rates of bird and bat mortality, or the impacts of turbines on prairie grouse. To our knowledge, no wind developers are addressing these issues. Even if they were, another cause for concern is the sharing of results. It is difficult to make informed decisions when the scientific data are non-existent, or existent but not shared.

Some wind developers are beginning to write Avian Protection Plans for their facilities. The Chapter supports the development of such plans, especially if these plans are written in coordination with state and federal natural-resource agencies, address what pre- and post-operational monitoring will be conducted, how the resulting data will be used and shared, and explains how potential impacts to migratory and resident birds and bats will be avoided, minimized, and mitigated.

Because the Chapter's members are wildlife professionals, the Chapter would be happy to engage wind developers in discussions about our concerns, as well as serving in advisory capacities.

Sincerely,



Kent Luttschwager
President, North Dakota Chapter of The Wildlife Society
701-774-4320

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. It is specifically concerned with approaches to effective management of North Dakota's plant and animal communities. The Chapter provides expertise in advising legislative and judicial processes surrounding the controversial management of many natural resource assets. It advocates the holistic treatment of environmental questions. The Chapter was founded in 1963 and incorporated in 1981 under the laws of North Dakota. The NDCTWS would be very willing to engage the PSC in issues concerning wildlife impacts from wind facilities, as well as offer advice based on member's expertise in matters of wildlife management and impacts of human-derived disturbances.