Courtenay Wind Farm, LLC filed with the FAA for a review of their preliminary layout on 02/06/2013. The FAA reviewed this layout and determined that all proposed structures would have no effect on aviation in the area (DNE). Attached is an example DNE letter received for one of the Courtenay structures as well as the results from the FAA's database provided in summary for the Courtenay Wind Farm.

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76137

Aeronautical Study No.
2013-WTE-503-OE

Issued Date: 03/13/2013

Cody Jensen
Cody: Geronimo Wind Energy
7650 Edinborough Way #725
Edina, MN 55435

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Wind Turbine 35a
Location:	Courtenay, ND
Latitude:	47-07-12.60N NAD 83
Longitude:	98-37-39.22W
Heights:	1555 feet site elevation (SE)
	499 feet above ground level (AGL)
	2054 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only - Chapters 12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

See attachment for additional condition(s) or information.
Any height exceeding 499 feet above ground level (2054 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 09/13/2014 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2013-WTE-503-OE.

Signature Control No: 182707264-185281014 (DNE -WT)
Donna O'Neill
Specialist

Attachment(s)
Additional Information
Map(s)

Additional information for ASN 2013-WTE-503-OE

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned turbines/turbine locations from the project will often result in a change in the marking/ lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

Obstruction lights, for those structures for which lights have been recommended, should be installed and operational once the structure has reached the height for which lights are required. Lights Out NOTAMs (Notices to Airmen) are not intended to be a substitution for operational lighting during project construction.

Synchronization is a critical component of the reduced lighting scheme. If synchronization is absolutely not feasible until the project is completed, for aviation safety, it should be accomplished immediately upon completion of the final lighted turbine.

TOPO Map for ASN 2013-WTE-503-OE

Federal Aviation Administration

« OE/AAA

Notice of Proposed Construction or Alteration - Off Airport

Project Name: CODY:-000229306-13

Project Summary : CODY:-000229306-13

Structure	City, State	Lat/Long	Map	Actions	7460-2 Received	Latest Letter
22a Determined 2013-WTE-498-OE	Courtenay, ND	47° 7' 11.69" 98° 38' 3.68"	Show Map	Upload a PDF Add 7460-2		DNE
23a Determined 2013-WTE-499-OE	Courtenay, ND	47° 8' 2.17" 98° 37' 57.61"	Show Map	Upload a PDF Add 7460-2		DNE
25a Determined 2013-WTE-500-OE	Courtenay, ND	47° 7' 37.43" 98° 37' 55.23"	Show Map	Upload a PDF Add 7460-2		DNE
29a Determined 2013-WTE-501-OE	Courtenay, ND	47° 7' 12.50" 98° 37' 51.44"	Show Map	Upload a PDF Add 7460-2		DNE
30a Determined 2013-WTE-502-OE	Courtenay, ND	47° 8' 2.13" 98° 37' 45.50"	Show Map	Upload a PDF Add 7460-2		DNE
35a Determined 2013-WTE-503-OE	Courtenay, ND	47° 7' 12.60" 98° 37' 39.22"	Show Map	Upload a PDF Add 7460-2		DNE
36a Determined 2013-WTE-504-OE	Courtenay, ND	47° 8' 2.02" 98° 37' 32.57"	Show Map	Upload a PDF Add 7460-2		DNE
40a Determined 2013-WTE-505-OE	Courtenay, ND	47° 7' 15.53" 98° 37' 27.60"	Show Map	Upload a PDF Add 7460-2		DNE
44a Determined 2013-WTE-506-OE	Courtenay, ND	47° 8' 2.12" 98° 37' 20.68"	Show Map	Upload a PDF Add 7460-2		DNE
47a Determined 2013-WTE-507-OE	Courtenay, ND	47° 7' 22.57" 98° 37' 17.39"	Show Map	Upload a PDF Add 7460-2		DNE
50a Determined 2013-WTE-508-OE	Courtenay, ND	47° 7' 33.57" 98° 37' 8.82"	Show Map	Upload a PDF Add 7460-2		DNE
58a Determined 2013-WTE-509-OE	Courtenay, ND	47° 8' 4.85" 98° 36' 49.14"	Show Map	Upload a PDF Add 7460-2		DNE
60a Determined 2013-WTE-510-OE	Courtenay, ND	47° 7' 34.64" 98° 36' 48.71"	Show Map	Upload a PDF Add 7460-2		DNE
62a Determined 2013-WTE-511-OE	Courtenay, ND	47° 8' 55.59" 98° 36' 43.86"	Show Map	Upload a PDF Add 7460-2		DNE
65a Determined 2013-WTE-512-OE	Courtenay, ND	47° 8' 5.07" 98° 36' 37.44"	Show Map	Upload a PDF Add 7460-2		DNE
67a Determined 2013-WTE-513-OE	Courtenay, ND	47° 7' 34.73" 98° 36' 36.07"	Show Map	Upload a PDF Add 7460-2		DNE
68a Determined 2013-WTE-514-OE	Courtenay, ND	47° 8' 58.64" 98° 36' 32.67"	Show Map	Upload a PDF Add 7460-2		DNE
74a Determined 2013-WTE-515-OE	Courtenay, ND	47° 8' 4.97" 98° 36' 25.45"	Show Map	Upload a PDF Add 7460-2		DNE
101a Determined 2013-WTE-516-OE	Courtenay, ND	47° 11' 7.73" 98° 35' 23.61"	Show Map	Upload a PDF Add 7460-2		DNE
107a Determined 2013-WTE-517-OE	Courtenay, ND	47° 11' 8.22" 98° 35' 11.45"	Show Map	Upload a PDF Add 7460-2		DNE

132a Determined 2013-WTE-518-OE	Courtenay, ND	47° 9' 22.85" 98° 34' 11.50"	Show Map	Upload a PDF Add 7460-2	DNE
1 Determined 2013-WTE-519-OE	Courtenay, ND	47° 13' 18.07" 98° 39' 57.16"	Show Map	Upload a PDF Add 7460-2	DNE
2 Determined 2013-WTE-520-OE	Courtenay, ND	47° 12' 51.06" 98° 39' 56.63"	Show Map	Upload a PDF Add 7460-2	DNE
3 Determined 2013-WTE-521-OE	Courtenay, ND	47° 13' 19.80" 98° 39' 45.48"	Show Map	Upload a PDF Add 7460-2	DNE
4 Determined 2013-WTE-522-OE	Courtenay, ND	47° 12' 50.89" 98° 39' 44.30"	Show Map	Upload a PDF Add 7460-2	DNE
5 Determined 2013-WTE-523-OE	Courtenay, ND	47° 13' 21.71" 98° 39' 33.79"	Show Map	Upload a PDF Add 7460-2	DNE
6 Determined 2013-WTE-524-OE	Courtenay, ND	47° 12' 50.85" 98° 39' 31.96"	Show Map	Upload a PDF Add 7460-2	DNE
7 Determined 2013-WTE-525-OE	Courtenay, ND	47° 12' 35.71" 98° 39' 17.85"	Show Map	Upload a PDF Add 7460-2	DNE
8 Determined 2013-WTE-526-OE	Courtenay, ND	47° 12' 8.70" 98° 39' 17.55"	Show Map	Upload a PDF Add 7460-2	DNE
9 Determined 2013-WTE-527-OE	Courtenay, ND	47° 11' 42.75" 98° 39' 8.26"	Show Map	Upload a PDF Add 7460-2	DNE
10 Determined 2013-WTE-528-OE	Courtenay, ND	47° 12' 35.43" 98° 39' 5.55"	Show Map	Upload a PDF Add 7460-2	DNE
11 Determined 2013-WTE-529-OE	Courtenay, ND	47° 12' 9.15" 98° 38' 57.32"	Show Map	Upload a PDF Add 7460-2	DNE
12 Determined 2013-WTE-530-OE	Courtenay, ND	47° 11' 42.49" 98° 38' 55.71"	Show Map	Upload a PDF Add 7460-2	DNE
13 Determined 2013-WTE-531-OE	Courtenay, ND	47° 12' 51.10" 98° 38' 43.19"	Show Map	Upload a PDF Add 7460-2	DNE
14 Determined 2013-WTE-532-OE	Courtenay, ND	47° 11' 43.57" 98° 38' 43.15"	Show Map	Upload a PDF Add 7460-2	DNE
15 Determined 2013-WTE-533-OE	Courtenay, ND	47° 12' 9.58" 98° 38' 34.87"	Show Map	Upload a PDF Add 7460-2	DNE
16 Determined 2013-WTE-534-OE	Courtenay, ND	47° 12' 54.57" 98° 38' 32.05"	Show Map	Upload a PDF Add 7460-2	DNE
17 Determined 2013-WTE-535-OE	Courtenay, ND	47° 11' 43.31" 98° 38' 30.59"	Show Map	Upload a PDF Add 7460-2	DNE
18 Determined 2013-WTE-536-OE	Courtenay, ND	47° 12' 10.43" 98° 38' 22.96"	Show Map	Upload a PDF Add 7460-2	DNE
19 Determined 2013-WTE-537-OE	Courtenay, ND	47° 12' 57.62" 98° 38' 20.70"	Show Map	Upload a PDF Add 7460-2	DNE
20 Determined 2013-WTE-538-OE	Courtenay, ND	47° 12' 58.96" 98° 38' 1.74"	Show Map	Upload a PDF Add 7460-2	DNE
21 Determined 2013-WTE-539-OE	Courtenay, ND	47° 10' 10.89" 98° 38' 2.55"	Show Map	Upload a PDF Add 7460-2	DNE
24 Determined 2013-WTE-540-OE	Courtenay, ND	47° 11' 33.52" 98° 37' 54.99"	Show Map	Upload a PDF Add 7460-2	DNE
26 Determined 2013-WTE-541-OE	Courtenay, ND	47° 10' 44.30" 98° 37' 53.18"	Show Map	Upload a PDF Add 7460-2	DNE
27 Determined 2013-WTE-542-OE	Courtenay, ND	47° 12' 59.21" 98° 37' 49.37"	Show Map	Upload a PDF Add 7460-2	DNE
28 Determined 2013-WTE-543-OE	Courtenay, ND	47° 10' 10.55" 98° 37' 50.34"	Show Map	Upload a PDF Add 7460-2	DNE

31 Determined 2013-WTE-544-OE	Courtenay, ND	47° 11' 34.83" 98° 37' 42.75"	Show Map	Upload a PDF Add 7460-2	DNE
32 Determined 2013-WTE-545-OE	Courtenay, ND	47° 10' 43.83" 98° 37' 40.78"	Show Map	Upload a PDF Add 7460-2	DNE
33 Determined 2013-WTE-546-OE	Courtenay, ND	47° 12' 59.87" 98° 37' 37.22"	Show Map	Upload a PDF Add 7460-2	DNE
34 Determined 2013-WTE-547-OE	Courtenay, ND	47° 10' 10.82" 98° 37' 38.13"	Show Map	Upload a PDF Add 7460-2	DNE
37 Determined 2013-WTE-548-OE	Courtenay, ND	47° 10' 43.68" 98° 37' 26.68"	Show Map	Upload a PDF Add 7460-2	DNE
38 Determined 2013-WTE-549-OE	Courtenay, ND	47° 11' 5.39" 98° 37' 27.22"	Show Map	Upload a PDF Add 7460-2	DNE
39 Determined 2013-WTE-550-OE	Courtenay, ND	47° 13' 3.20" 98° 37' 25.86"	Show Map	Upload a PDF Add 7460-2	DNE
41 Determined 2013-WTE-551-OE	Courtenay, ND	47° 10' 10.93" 98° 37' 25.70"	Show Map	Upload a PDF Add 7460-2	DNE
42 Determined 2013-WTE-552-OE	Courtenay, ND	47° 12' 10.61" 98° 37' 22.69"	Show Map	Upload a PDF Add 7460-2	DNE
43 Determined 2013-WTE-553-OE	Courtenay, ND	47° 11' 34.20" 98° 37' 19.35"	Show Map	Upload a PDF Add 7460-2	DNE
45 Determined 2013-WTE-554-OE	Courtenay, ND	47° 13' 9.20" 98° 37' 15.32"	Show Map	Upload a PDF Add 7460-2	DNE
46 Determined 2013-WTE-555-OE	Courtenay, ND	47° 10' 44.07" 98° 37' 16.30"	Show Map	Upload a PDF Add 7460-2	DNE
48 Determined 2013-WTE-556-OE	Courtenay, ND	47° 11' 7.01" 98° 37' 15.04"	Show Map	Upload a PDF Add 7460-2	DNE
49 Determined 2013-WTE-557-OE	Courtenay, ND	47° 12' 10.83" 98° 37' 10.63"	Show Map	Upload a PDF Add 7460-2	DNE
51 Determined 2013-WTE-558-OE	Courtenay, ND	47° 13' 12.23" 98° 37' 3.96"	Show Map	Upload a PDF Add 7460-2	DNE
52 Determined 2013-WTE-559-OE	Courtenay, ND	47° 11' 34.52" 98° 37' 4.19"	Show Map	Upload a PDF Add 7460-2	DNE
53 Determined 2013-WTE-560-OE	Courtenay, ND	47° 12' 29.14" 98° 37' 3.78"	Show Map	Upload a PDF Add 7460-2	DNE
54 Determined 2013-WTE-561-OE	Courtenay, ND	47° 10' 45.12" 98° 37' 4.35"	Show Map	Upload a PDF Add 7460-2	DNE
55 Determined 2013-WTE-562-OE	Courtenay, ND	47° 11' 8.88" 98° 37' 3.42"	Show Map	Upload a PDF Add 7460-2	DNE
56 Determined 2013-WTE-563-OE	Courtenay, ND	47° 12' 29.36" 98° 36' 48.32"	Show Map	Upload a PDF Add 7460-2	DNE
57 Determined 2013-WTE-564-OE	Courtenay, ND	47° 13' 12.36" 98° 36' 47.10"	Show Map	Upload a PDF Add 7460-2	DNE
59 Determined 2013-WTE-565-OE	Courtenay, ND	47° 11' 8.60" 98° 36' 47.37"	Show Map	Upload a PDF Add 7460-2	DNE
61 Determined 2013-WTE-566-OE	Courtenay, ND	47° 9' 23.00" 98° 36' 45.77"	Show Map	Upload a PDF Add 7460-2	DNE
63 Determined 2013-WTE-567-OE	Courtenay, ND	47° 11' 28.99" 98° 36' 37.38"	Show Map	Upload a PDF Add 7460-2	DNE
64 Determined 2013-WTE-568-OE	Courtenay, ND	47° 12' 29.32" 98° 36' 36.28"	Show Map	Upload a PDF Add 7460-2	DNE
66 Determined 2013-WTE-569-OE	Courtenay, ND	47° 13' 12.69" 98° 36' 34.86"	Show Map	Upload a PDF Add 7460-2	DNE

69 Determined 2013-WTE-570-OE	Courtenay, ND	47° 9' 25.29" 98° 36' 28.82"	Show Map	Upload a PDF Add 7460-2	DNE
70 Determined 2013-WTE-571-OE	Courtenay, ND	47° 10' 39.30" 98° 36' 27.04"	Show Map	Upload a PDF Add 7460-2	DNE
71 Determined 2013-WTE-572-OE	Courtenay, ND	47° 10' 10.51" 98° 36' 26.07"	Show Map	Upload a PDF Add 7460-2	DNE
72 Determined 2013-WTE-573-OE	Courtenay, ND	47° 11' 31.67" 98° 36' 25.39"	Show Map	Upload a PDF Add 7460-2	DNE
73 Determined 2013-WTE-574-OE	Courtenay, ND	47° 12' 28.59" 98° 36' 24.05"	Show Map	Upload a PDF Add 7460-2	DNE
75 Determined 2013-WTE-575-OE	Courtenay, ND	47° 13' 12.83" 98° 36' 22.62"	Show Map	Upload a PDF Add 7460-2	DNE
76 Determined 2013-WTE-576-OE	Courtenay, ND	47° 9' 30.30" 98° 36' 18.68"	Show Map	Upload a PDF Add 7460-2	DNE
77 Determined 2013-WTE-577-OE	Courtenay, ND	47° 11' 33.98" 98° 36' 13.40"	Show Map	Upload a PDF Add 7460-2	DNE
78 Determined 2013-WTE-578-OE	Courtenay, ND	47° 12' 28.96" 98° 36' 11.80"	Show Map	Upload a PDF Add 7460-2	DNE
79 Determined 2013-WTE-579-OE	Courtenay, ND	47° 13' 14.65" 98° 36' 10.64"	Show Map	Upload a PDF Add 7460-2	DNE
80 Determined 2013-WTE-580-OE	Courtenay, ND	47° 10' 41.96" 98° 36' 9.89"	Show Map	Upload a PDF Add 7460-2	DNE
81 Determined 2013-WTE-581-OE	Courtenay, ND	47° 12' 2.69" 98° 36' 7.98"	Show Map	Upload a PDF Add 7460-2	DNE
82 Determined 2013-WTE-582-OE	Courtenay, ND	47° 10' 10.61" 98° 36' 8.48"	Show Map	Upload a PDF Add 7460-2	DNE
83 Determined 2013-WTE-583-OE	Courtenay, ND	47° 13' 45.83" 98° 36' 6.15"	Show Map	Upload a PDF Add 7460-2	DNE
84 Determined 2013-WTE-584-OE	Courtenay, ND	47° 9' 27.48" 98° 36' 5.92"	Show Map	Upload a PDF Add 7460-2	DNE
85 Determined 2013-WTE-585-OE	Courtenay, ND	47° 11' 36.48" 98° 36' 1.42"	Show Map	Upload a PDF Add 7460-2	DNE
86 Determined 2013-WTE-586-OE	Courtenay, ND	47° 12' 29.33" 98° 35' 59.56"	Show Map	Upload a PDF Add 7460-2	DNE
87 Determined 2013-WTE-587-OE	Courtenay, ND	47° 13' 17.57" 98° 35' 59.19"	Show Map	Upload a PDF Add 7460-2	DNE
88 Determined 2013-WTE-588-OE	Courtenay, ND	47° 10' 42.88" 98° 35' 57.92"	Show Map	Upload a PDF Add 7460-2	DNE
89 Determined 2013-WTE-589-OE	Courtenay, ND	47° 12' 2.65" 98° 35' 55.94"	Show Map	Upload a PDF Add 7460-2	DNE
90 Determined 2013-WTE-590-OE	Courtenay, ND	47° 13' 46.12" 98° 35' 52.28"	Show Map	Upload a PDF Add 7460-2	DNE
91 Determined 2013-WTE-591-OE	Courtenay, ND	47° 9' 24.91" 98° 35' 53.16"	Show Map	Upload a PDF Add 7460-2	DNE
92 Determined 2013-WTE-592-OE	Courtenay, ND	47° 11' 37.16" 98° 35' 49.45"	Show Map	Upload a PDF Add 7460-2	DNE
93 Determined 2013-WTE-593-OE	Courtenay, ND	47° 13' 18.08" 98° 35' 46.95"	Show Map	Upload a PDF Add 7460-2	DNE
94 Determined 2013-WTE-594-OE	Courtenay, ND	47° 13' 19.15" 98° 35' 34.97"	Show Map	Upload a PDF Add 7460-2	DNE
95 Determined 2013-WTE-595-OE	Courtenay, ND	47° 13' 46.04" 98° 35' 31.47"	Show Map	Upload a PDF Add 7460-2	DNE

96 Determined 2013-WTE-596-OE	Courtenay, ND	47° 11' 37.10" 98° 35' 31.36"	Show Map	Upload a PDF Add 7460-2	DNE
97 Determined 2013-WTE-597-OE	Courtenay, ND	47° 8' 32.95" 98° 35' 30.81"	Show Map	Upload a PDF Add 7460-2	DNE
98 Determined 2013-WTE-598-OE	Courtenay, ND	47° 10' 33.66" 98° 35' 29.60"	Show Map	Upload a PDF Add 7460-2	DNE
99 Determined 2013-WTE-599-OE	Courtenay, ND	47° 7' 51.35" 98° 35' 29.27"	Show Map	Upload a PDF Add 7460-2	DNE
100 Determined 2013-WTE-600-OE	Courtenay, ND	47° 13' 20.96" 98° 35' 23.26"	Show Map	Upload a PDF Add 7460-2	DNE
102 Determined 2013-WTE-601-OE	Courtenay, ND	47° 13' 47.35" 98° 35' 19.57"	Show Map	Upload a PDF Add 7460-2	DNE
103 Determined 2013-WTE-602-OE	Courtenay, ND	47° 11' 37.23" 98° 35' 18.86"	Show Map	Upload a PDF Add 7460-2	DNE
104 Determined 2013-WTE-603-OE	Courtenay, ND	47° 8' 33.59" 98° 35' 18.84"	Show Map	Upload a PDF Add 7460-2	DNE
105 Determined 2013-WTE-604-OE	Courtenay, ND	47° 10' 34.58" 98° 35' 17.40"	Show Map	Upload a PDF Add 7460-2	DNE
106 Determined 2013-WTE-605-OE	Courtenay, ND	47° 7' 51.44" 98° 35' 17.25"	Show Map	Upload a PDF Add 7460-2	DNE
108 Determined 2013-WTE-606-OE	Courtenay, ND	47° 11' 38.82" 98° 35' 6.35"	Show Map	Upload a PDF Add 7460-2	DNE
109 Determined 2013-WTE-607-OE	Courtenay, ND	47° 10' 36.78" 98° 35' 5.65"	Show Map	Upload a PDF Add 7460-2	DNE
110 Determined 2013-WTE-608-OE	Courtenay, ND	47° 8' 32.73" 98° 35' 6.48"	Show Map	Upload a PDF Add 7460-2	DNE
111 Determined 2013-WTE-609-OE	Courtenay, ND	47° 7' 52.05" 98° 35' 5.32"	Show Map	Upload a PDF Add 7460-2	DNE
112 Determined 2013-WTE-610-OE	Courtenay, ND	47° 10' 39.45" 98° 34' 53.90"	Show Map	Upload a PDF Add 7460-2	DNE
113 Determined 2013-WTE-611-OE	Courtenay, ND	47° 8' 33.50" 98° 34' 54.51"	Show Map	Upload a PDF Add 7460-2	DNE
114 Determined 2013-WTE-612-OE	Courtenay, ND	47° 7' 51.81" 98° 34' 53.12"	Show Map	Upload a PDF Add 7460-2	DNE
115 Determined 2013-WTE-613-OE	Courtenay, ND	47° 13' 12.49" 98° 34' 48.68"	Show Map	Upload a PDF Add 7460-2	DNE
116 Determined 2013-WTE-614-OE	Courtenay, ND	47° 12' 48.01" 98° 34' 46.50"	Show Map	Upload a PDF Add 7460-2	DNE
117 Determined 2013-WTE-615-OE	Courtenay, ND	47° 12' 2.06" 98° 34' 46.01"	Show Map	Upload a PDF Add 7460-2	DNE
118 Determined 2013-WTE-616-OE	Courtenay, ND	47° 10' 40.53" 98° 34' 41.93"	Show Map	Upload a PDF Add 7460-2	DNE
119 Determined 2013-WTE-617-OE	Courtenay, ND	47° 8' 33.45" 98° 34' 42.41"	Show Map	Upload a PDF Add 7460-2	DNE
120 Determined 2013-WTE-618-OE	Courtenay, ND	47° 7' 50.45" 98° 34' 40.73"	Show Map	Upload a PDF Add 7460-2	DNE
121 Determined 2013-WTE-619-OE	Courtenay, ND	47° 13' 12.56" 98° 34' 36.44"	Show Map	Upload a PDF Add 7460-2	DNE
122 Determined 2013-WTE-620-OE	Courtenay, ND	47° 12' 47.10" 98° 34' 33.47"	Show Map	Upload a PDF Add 7460-2	DNE
123 Determined 2013-WTE-621-OE	Courtenay, ND	47° 12' 5.20" 98° 34' 32.23"	Show Map	Upload a PDF Add 7460-2	DNE

124 Determined 2013-WTE-622-OE	Courtenay, ND	47° 8' 48.60" 98° 34' 33.64"	Show Map	Upload a PDF Add 7460-2	DNE
125 Determined 2013-WTE-623-OE	Courtenay, ND	47° 10' 47.58" 98° 34' 31.97"	Show Map	Upload a PDF Add 7460-2	DNE
126 Determined 2013-WTE-624-OE	Courtenay, ND	47° 8' 58.35" 98° 34' 20.78"	Show Map	Upload a PDF Add 7460-2	DNE
127 Determined 2013-WTE-625-OE	Courtenay, ND	47° 11' 33.27" 98° 34' 16.77"	Show Map	Upload a PDF Add 7460-2	DNE
128 Determined 2013-WTE-626-OE	Courtenay, ND	47° 8' 28.13" 98° 34' 17.65"	Show Map	Upload a PDF Add 7460-2	DNE
129 Determined 2013-WTE-627-OE	Courtenay, ND	47° 12' 9.14" 98° 34' 15.79"	Show Map	Upload a PDF Add 7460-2	DNE
130 Determined 2013-WTE-628-OE	Courtenay, ND	47° 9' 43.65" 98° 34' 14.20"	Show Map	Upload a PDF Add 7460-2	DNE
131 Determined 2013-WTE-629-OE	Courtenay, ND	47° 10' 26.99" 98° 34' 13.42"	Show Map	Upload a PDF Add 7460-2	DNE
133 Determined 2013-WTE-630-OE	Courtenay, ND	47° 8' 58.44" 98° 34' 7.81"	Show Map	Upload a PDF Add 7460-2	DNE
134 Determined 2013-WTE-631-OE	Courtenay, ND	47° 12' 10.83" 98° 34' 4.14"	Show Map	Upload a PDF Add 7460-2	DNE
135 Determined 2013-WTE-632-OE	Courtenay, ND	47° 8' 28.53" 98° 34' 5.52"	Show Map	Upload a PDF Add 7460-2	DNE
136 Determined 2013-WTE-633-OE	Courtenay, ND	47° 11' 37.75" 98° 34' 3.18"	Show Map	Upload a PDF Add 7460-2	DNE
137 Determined 2013-WTE-634-OE	Courtenay, ND	47° 9' 46.62" 98° 34' 2.94"	Show Map	Upload a PDF Add 7460-2	DNE
138 Determined 2013-WTE-635-OE	Courtenay, ND	47° 10' 25.81" 98° 33' 57.95"	Show Map	Upload a PDF Add 7460-2	DNE
139 Determined 2013-WTE-636-OE	Courtenay, ND	47° 12' 19.39" 98° 33' 54.80"	Show Map	Upload a PDF Add 7460-2	DNE
140 Determined 2013-WTE-637-OE	Courtenay, ND	47° 8' 58.60" 98° 33' 55.74"	Show Map	Upload a PDF Add 7460-2	DNE
141 Determined 2013-WTE-638-OE	Courtenay, ND	47° 11' 34.88" 98° 33' 37.71"	Show Map	Upload a PDF Add 7460-2	DNE
142 Determined 2013-WTE-639-OE	Courtenay, ND	47° 9' 48.12" 98° 33' 37.99"	Show Map	Upload a PDF Add 7460-2	DNE
143 Determined 2013-WTE-640-OE	Courtenay, ND	47° 9' 48.25" 98° 33' 25.94"	Show Map	Upload a PDF Add 7460-2	DNE
144 Determined 2013-WTE-641-OE	Courtenay, ND	47° 11' 33.60" 98° 33' 22.69"	Show Map	Upload a PDF Add 7460-2	DNE

Upload a PDF to the Project

Please upload a Wind Turbine Data file for your project. Click here to ensure the necessary information is included in your uploaded document.

OFFICE OF THE UNDER SECRETARY OF DEFENSE
3400 DEFENSE PENTAGON
WASHINGTON, DC 20301-3400

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

November 2, 2012

Heather Wayne
Geronimo Wind Energy
7650 Edinborough Way, Suite 725
Edina, MN 55435

Dear Ms. Wayne,

At your request the Department of Defense (DoD) Siting Clearinghouse has coordinated within DoD an informal review of you company's seven wind turbine projects. The following is a summary of the results of this informal review.

[redacted]

The DoD Siting Clearinghouse also coordinated an informal review of the following projects:

[redacted]

- Courtenay Wind Farm project, Stutsman County, North Dakota. The results of this review indicate that this project, as proposed, will impact training we conduct in military operation area Devils Lake East and military training route IR-678. I request that you or your designated representative contact the 5 OSS/A-3C, Minot Air Force Base, North Dakota, (701) 723-2967 to discuss possible mitigation measures that would reduce or eliminate any adverse impact.

[redacted]

[redacted]

It is my hope that we can reach agreement on measures that will mitigate potential adverse effects on military operations and readiness with minimum impact on the success of your projects. Your continued cooperation will help us preserve the operational, training, and testing capabilities of our nation's Armed Forces.

Please note that this informal review by the DoD Siting Clearinghouse does not constitute an action under 49 United States Code section 44718 and that neither the DoD nor the Secretary of Transportation are bound by the conclusion arrived at under this informal review. Please call me at 703-571-9057 with any questions, and feel free to share this letter with any of your investors or community partners.

Sincerely,

Col Suzanne Johnson, USAF
Military Assistant to Executive Director
DoD Siting Clearinghouse

UNITED STATES DEPARTMENT OF COMMERCE
National Telecommunications and Information Administration
Washington, D.C. 20230

OCT - 3 2012

Ms. Heather Wayne
Associate
GERONIMO Wind Energy
7650 Edinborough Way, Suite 725
Edina, MN 55435

Re: Courtenay Project: Stutsman County, ND

Dear Ms. Wayne:

In response to your request on August 8, 2012, the National Telecommunications and Information Administration provided to the federal agencies represented in the Interdepartment Radio Advisory Committee (IRAC) the plans for the Courtenay Wind Energy Project, located in Stutsman County, North Dakota.

After a 45+ day period of review, no federal agencies identified any concerns regarding blockage of their radio frequency transmissions.

While the IRAC agencies did not identify any concerns regarding radio frequency blockage, this does not eliminate the need for the wind energy facilities to meet any other requirements specified by law related to these agencies. For example, this review by the IRAC does not eliminate any need that may exist to coordinate with the Federal Aviation Administration concerning flight obstruction.

Thank you for the opportunity to review these proposals.

Sincerely,

Edward M. Davison
Deputy Associate Administrator
Office of Spectrum Management

Patrick Smith

From: Taborsky, Lawrence E. <ltaborsky@nd.gov>
Sent: Wednesday, February 27, 2013 3:37 PM
To: Patrick Smith
Cc: Wanner, Kyle C.
Subject: RE: Courtenay Wind Farm - Geronimo Energy Project

Patrick,
I have received your info, and have asked the commission's airport planner to put it on the top of his priority list. If you don't hear from us by March 1st, we have found no issues.
Thanks for your perseverance to ensure that we received the information.
Regards,
Larry

Larry Taborsky, Director
North Dakota Aeronautics Commission
PO Box 5020
Bismarck, ND 58502
(701) 328-9650

From: Patrick Smith [mailto:Patrick@geronimoenergy.com]
Sent: Wednesday, February 27, 2013 2:44 PM
To: Taborsky, Lawrence E.
Subject: Courtenay Wind Farm - Geronimo Energy Project

Larry,

Thank you for talking today. Our apologies on whatever mixup happened with the post of this letter, a scan of it is attached. Our many thanks for anything you can do to help move it through your review. If any questions about the project come up please don't hesitate to contact me, my information is below

Best,

Patrick

Patrick Smith
Dir. of Environmental Planning

Phone: 952-988-9000
Cell: 651-308-9823

Fax: 952-988-9001
Email: patrick@geronimowind.com

Geronimo Energy
7650 Edinborough Way, Suite 725
Edina MN 55435

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
3425 Miriam Avenue
Bismarck, North Dakota 58501

MAR 18 2011

Ms. Karyn O'Brien
Environmental Planning Specialist
Geronimo Wind Energy, LLC
7650 Edinborough Way, Suite 725
Edina, Minnesota 55435

Re: Proposed Courtenay Wind Project, Stutsman County, North Dakota

Dear Ms. O'Brien:

This is in response to your October 28, 2010, request for environmental information in relation to a wind energy development project in Stutsman County, North Dakota, which is being proposed by Geronimo Wind Energy, LLC (Geronimo). The project would consist of typical wind project construction, including erecting wind turbines and constructing associated facilities such as gravel access roads, an underground electrical collector system, electrical collector substation, and overhead transmission lines. The final locations of the turbines, access roads, and the electrical collector system have not yet been identified.

The following areas may be affected by the project:

Stutsman County: T. 144 N., R. 63 W., Sections 26, 27, 34-36
T. 143 N., R. 63 W., Sections 1-3, 9-15, 22-26, 35, 36
T. 143 N., R. 62 W., Sections 6-8, 16-20, 29-32
T. 142 N., R. 63 W., Sections 1-4, 11, 12, 14
T. 142 N., R. 62 W., Sections 5-7

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.) (MBTA), Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d, 54 Stat. 250), the Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.), and the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).

The U.S. Fish and Wildlife Service (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 to facilitate the balanced development of the Nation's natural resources. We encourage you to carefully consider the following comments, and to coordinate your plans with the Service early and often in your planning process, in order to comply with the authorities above to the extent possible.

Migratory Birds

The MBTA prohibits the taking, killing, possession, and transportation, (among other actions) of migratory birds, their eggs, parts, and nests, except when specifically permitted. While the MBTA has no provision for allowing unintentional take, the Service realizes that some birds may be killed during wind project construction and operation even if all known reasonable and effective measures to protect birds are used. The Service's Office of Law Enforcement (OLE) 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 avoid take of migratory birds and by encouraging others to implement measures to avoid take of migratory birds. It is not possible to absolve individuals, companies, or agencies from liability even if they implement bird mortality avoidance or other similar protective measures. However, OLE focuses its resources on investigating and prosecuting individuals and companies that take migratory birds without identifying and implementing all reasonable, prudent, and effective measures to avoid that take. Companies are encouraged to work closely with Service biologists to identify available protective measures, including site selection, when developing project plans and/or avian protection plans, and to implement those measures prior to/during project construction and operation.

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 turbine strikes, the potential for direct mortality of some migratory birds 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. The Service's Interim Wind Turbine Siting Guidelines are enclosed to assist in project planning (enclosure 1). We encourage the project proponents to conduct a Potential Impact Index (PII) analysis on several potential sites within wind resource areas to assist in the selection of a wind power site that minimizes the potential to impact migratory birds. Please inform this office whether or not you plan to use the Service's interim guidelines in selecting your site and if not, whether you intend to use a different method to assess potential impacts to avian and other wildlife resources.

In addition, the Service recently issued Draft Land-Based Wind Energy Guidelines and Draft Eagle Conservation Plan Guidance, both available at www.fws.gov/windenergy. Although these are now in draft for public comment, and if finalized, will be voluntary, we encourage wind energy developers to follow these guidelines and guidance to the maximum extent practicable.

Your letter and accompanying aerial photograph indicate that you may have already selected a site for the project. The Service recommends taking a landscape-scale view and comparing several alternative sites before selecting a site that avoids and minimizes impacts to wildlife. We recommend comparing alternative sites within your study area, and analyzing potential sites for wildlife impacts. Our initial cursory review indicates that portions of the study area may be problematic in terms of avoidance of impacts to migratory birds. We recommend that you schedule a meeting with our office before proceeding with development of plans for the site you have indicated. There are numerous Service easements in the townships you indicated. We can share with you the requirements for avoiding or requesting permission to impact easements as part of our coordination on the project.

The Service has coordinated with the Avian Power Line Interaction Committee (APLIC) to develop guidelines to assist companies in formulating Avian Protection Plans (APP). The guidelines can be accessed from APLIC's website at http://www.aplic.org/. These plans are utility specific and designed to reduce operational risks that result from avian interactions with electric utility facilities, but we suggest they may be adapted to wind energy facilities. Wind energy projects have the potential to negatively affect bats as well as avian species. Therefore, we encourage project developers to formulate an Avian and Bat Protection Plan (ABPP) if bats migrate through or may be present in the project area. The Service has issued an August 03, 2010, white paper with Service guidance related to the development of project specific ABPPs (enclosure 2) for renewable energy facilities. Some of the things that the Service looks for in an APP or ABPP are typically a statement of company policy confirming the company's commitment to work cooperatively towards the protection of migratory birds and bats; identification of the process under which the company will obtain and comply with all necessary permits, including, but not limited to, nest relocation, temporary possession, depredation, salvage/disposal, and scientific collection; discussion of the company's plan for monitoring and reporting all incidents of avian or bat injury or mortality; a commitment to make all reasonable efforts to construct and modify infrastructure to reduce the incidence of avian and bat mortality; a mechanism to review existing practices, ensuring quality control and allowing for adaptive management; and a plan for providing adequate training for all appropriate utility personnel. An APP or ABPP reporting system is important to help the company pinpoint areas of concern by tracking both the specific locations where mortalities may be occurring, as well as the extent of such mortalities and the remedial actions taken/planned to address identified problem areas.

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.

To the extent practicable, construction should be scheduled for late summer or fall/early winter so as not to disrupt waterfowl or other wildlife during the breeding season (February 1 to July 15). 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, their eggs, or active nests, the Service recommends that the project proponent take all practicable measures to avoid and minimize take, such as maintaining adequate buffers, to protect the birds until the young have fledged. The Service further recommends that if field surveys for nesting birds are conducted with the intent of avoiding take, that any documentation of the presence of migratory birds, eggs, and active nests, along with information regarding the qualifications of the biologist(s) performing the surveys, and any avoidance measures implemented at the project site be maintained. Should surveys or other available information indicate a significant impact to migratory birds, the Service requests that this office be contacted for further consultation on the extent of the impact and the long-term implications of the intended use of the project on migratory bird populations.

Bald and Golden Eagles

The BGEPA prohibits anyone, without a permit issued by the Secretary of the Interior, from taking bald or golden eagles, including their parts, nests, or eggs. The Act provides criminal and civil penalties for persons who take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof. The Act defines take as pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb. "Disturb" means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagles return, such alterations agitate or bother an eagle to a degree that injures an eagle or substantially interferes with normal breeding, feeding, or sheltering habits and causes, or is likely to cause, a loss of productivity or nest abandonment.

The Service recommends Geronimo survey the planning area for bald and golden eagle nests in the spring, March 1 – May 15, prior to leaf-out, when nests are more visible. While the bald eagle tends to be more closely associated with forested areas near water (Buehler 2000), they have been found nesting in single trees several miles from the nearest water body. Especially early in the nesting season, eagles can be very sensitive to disturbance near the nest site and may abandon their nest as a result of low disturbance levels, even from foot traffic. A buffer of at least 1/2 mile should be maintained for all bald and golden eagle nests. A permit is required for any take of bald or golden eagles or their nests. Permits to take golden eagles or their nests are available only for legitimate emergencies or as part of a program to protect golden eagles.

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 3). This list fulfills requirements of the Service under the ESA.

If a Federal agency authorizes, funds, or carries out a proposed action, the responsible Federal agency, or its delegated agent, is required to evaluate whether the action "may affect" listed species or critical habitat. If the Federal agency or its designated agent determines the action "may affect, is likely to adversely affect" listed species or result in destruction or adverse modification of critical habitat, the responsible Federal agency shall request formal section 7 consultation with this office. If the evaluation shows a "no effect" determination for listed species or critical habitat, further consultation is not necessary. If a private entity receives Federal funding for a construction project, or if any Federal permit or license is required, the Federal agency may designate the fund recipient or permittee as its agent for purposes of informal section 7 consultation. The funding, permitting, or licensing Federal agency is responsible to ensure that it's actions comply with the ESA, including obtaining concurrence from the Service for any action that may affect a threatened or endangered species or result in the destruction or adverse modification of designated critical habitat. The Service recommends that Geronimo and their consultants coordinate with the Federal action agency(ies), as applicable, on this project. Until such time as a Federal action agency designates Geronimo and/or its consultants as its agent for purposes of informal Section 7 consultation, these comments should be considered as preliminary to assist in project planning. If one or more Federal action agencies are involved with this project, that agency has the responsibility under Section 7 of the ESA to conduct consultation with the Service. The Service expects to consult with the Federal action agency or their designated agent on actions that may affect any listed species.

The Federal government recently passed the Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010, which authorized funds to the U.S. Treasury Department for grants to private entities for construction of renewable energy projects. If the Courtenay Wind Project or a subsequent owner intends to apply for such a Treasury grant, please inform us, as we consider this to be a Federal nexus requiring 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.

The project area appears to be located outside of the whooping crane migration corridor that includes 95 percent of all confirmed whooping crane sightings in North Dakota (enclosure). However, the presence of suitable roosting and feeding habitat for whooping cranes document 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 migrations 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 best available information indicates that whooping cranes avoid stopover habitat that is developed with wind energy appurtenances, particularly wind turbines. This avoidance may deny them the use of important habitat, and thus may result in an adverse effect in the form of harm by habitat modification. Whooping cranes use migration stopover habitat opportunistically and may not use the same stopovers annually. Whooping cranes often stop wherever they happen to be late in the day when they find conditions no longer suitable for migration. This tendency can make for a very unpredictable pattern of stopover use, depending on daily weather conditions. The Service recommends mapping wetlands at the project site within 0.5 mile of all turbines, identifying potentially suitable whooping crane stopover habitat, and analyzing the potential effects to migrating whooping cranes from loss of use of this habitat for migration stopovers.

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. The highest known source of mortality to fledged whooping cranes is from striking power lines. Currently, collisions with power lines have accounted for the death or serious injury of at least 46 whooping cranes since 1956. If power lines will be constructed in association with this project, the Service recommends they be placed underground to avoid collision mortality. If underground construction is not practicable, we recommend installation and maintenance of visual marking devices on all new power lines within one mile of potentially suitable whooping crane stopover habitat.

Piping plovers have been documented nesting in Stutsman County. This area also contains designated critical habitat for piping plovers, which includes certain alkali wetlands. Piping plovers are protected on private land, as well as land in Federal ownership. In North Dakota, piping plovers begin arriving on their breeding grounds in early to mid-April and are typically gone by September 1. Disturbance from construction activities during this timeframe is possible depending on proximity to birds. The Service recommends that construction activities in these areas take place from September 1 – April 1. You may request shapefiles from our office for designated critical habitat; however, there are also other suitable wetlands in the project area where plovers may be nesting. Piping plovers nesting on one wetland could be feeding on another. The alkali soils on the alkali wetlands are soft, and tracks are easily left behind. Piping plover chicks have been documented to be trapped and/or drowned in depressions as shallow as a few inches. Compaction of soil in dry or frozen conditions has the potential to impact piping plovers for many years after the activity.

In order to avoid disturbing these birds and their habitat, we recommend the following precautions when working in potential or known piping plover habitat:

- Total avoidance of the documented and potential nesting wetlands from April 1 – September 1;
- A 600-yard buffer should be maintained on wetlands with potential or documented plover nesting; no work should take place within this buffer zone;

- All vehicle use should be avoided on any wetland shoreline in the project area.

If you are unable to positively identify piping plover nesting areas, or to maintain a 600 yard no-entry buffer on all nesting wetlands, we recommend that you retain the services of a qualified biologist to survey your project area for these resources. If there is no Federal funding or permit involved in the project, the project proponent is still required to ensure that their activities do not result in take of piping plovers, their eggs or chicks, and do not destroy and/or adversely modify designated critical habitat.

Section 10(a)(1)(B) of the ESA allows non-Federal parties planning activities that have no Federal nexus, but which could result in the incidental taking of listed animals, to apply for an incidental take permit. (A Federal nexus exists whenever an activity is conducted, funded, or licensed or permitted by a Federal agency). The application must include a habitat conservation plan (HCP) laying out the proposed actions, determining the effects of those actions on federally-listed plant and wildlife species and their habitats (and may include proposed or candidate species), and defining measures to minimize and mitigate adverse effects. If Geronimo believes that take of listed species is likely to occur at any point in the life of the Courtenay wind project, the options available for ESA coverage of anticipated take include the development of a project specific HCP and application for an incidental take permit (ITP) prior to project construction. If Geronimo believes that take of any listed species in the action area is not likely to occur as a result of the proposed project, and therefore no take authorization is needed, we recommend that this be clearly stated in an analysis of effects for each affected species, and that you share this analysis with the Service.

The Dakota skipper is a small to medium-sized hesperiine butterfly associated with high quality prairie ranging from wet-mesic tallgrass prairie to dry-mesic mixed grass prairie. The first type of habitat is relatively flat and moist native bluestem prairie. Three species of wildflowers are usually present: wood lily (*Lilium philadelphicum*), harebell (*Campanula rotundifolia*), and smooth camas (*Zygadenus elegans*). The second habitat type is upland (dry) prairie that is often on ridges and hillsides. Bluestem grasses and needlegrasses dominate these habitats. On this habitat type, three wildflowers are typically present in high quality sites that are suitable for Dakota skipper: pale purple (*Echinacea pallida*) and upright (*E. angustifolia*) coneflowers and blanketflower (*Gaillardia sp.*). Because of the difficulty of surveying for Dakota skippers and a short survey window, we recommend that the project avoid any impacts to potential Dakota skipper habitat. If Dakota skipper habitat is present near the proposed project, and you intend to take precautions to avoid impacts to skipper habitat, please notify the Service for further direction.

In 2010, the Sprague's pipit was added to the candidate species list. Migratory bird species, such as the Sprague's pipit, that are candidates are still protected under the MBTA. Sprague's pipits require large patches of grassland habitat for breeding, with preferred grass height between 4 and 12 inches. The species prefers to breed in well-drained, open grasslands and avoids grasslands with excessive shrubs. They can be found in lightly to heavily grazed areas. They avoid intrusive human features on the landscape, so the impact of a development can be much larger

than the actual footprint of the feature. If Sprague's pipit habitat is present within or adjacent to the proposed project area, the Service requests that you document any steps taken to avoid and minimize disturbance of this habitat.

The Dakota skipper and Sprague's pipit are candidate species for listing under the ESA. For candidate species, such as the Dakota skipper and Sprague's pipit, there is additional management flexibility available which entails developing a Candidate Conservation Agreements with Assurances (CCAA). CCAAs are formal, voluntary agreements between the Service and one or more parties to address the conservation needs of one or more candidate species. Participants voluntarily commit to implement specific actions designed to remove or reduce threats to the covered species. CCAAs can involve both Federal and non-Federal lands. In some cases, these agreements have been so successful that listing the species proved to be unnecessary. If you would like more information on these programs, please notify the Service for further coordination.

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. We recommend coordinating with our office prior to final site selection so that we may provide easement information and maps.

Wetland easements are legal agreements with private landowners that permanently protect wetland basins from being drained, burned, leveled, or filled. Grassland easements are legal agreements with landowners that permanently protect grassland vegetation, primarily native prairie, from being destroyed or developed. Grassland easements prevent these grasslands from being converted to cropland. Mowing, haying, and grass seed harvesting must be delayed on grassland easements until after July 15 each year to protect grassland nesting birds. The primary responsibility in protecting these interests is to review all proposed uses to ensure that the requests are compatible with Service easement regulations and various laws and policies. 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.

If Service easements are present in the project area, cultural resource compliance requires coordination with the Zone Archeologist early in the NEPA process. Cultural Resource field investigations on Service easements and fee lands require a permit issued by the Zone Archeologist. Contact Barry G. Williams, USFWS Dakotas Zone Archeologist (barry_williams@fws.gov, 701-355-8577).

High Value Habitat Avoidance

High value wildlife habitat types in North Dakota include native prairies, wetlands, wooded draws, and riparian forests. We recommend that construction of wind towers and appurtenant facilities in the above habitat types be avoided whenever possible.

Our review of NWI maps indicates 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. The project proponent should 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 also provide recommendations on this project to the Corps.

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 the project proponent:

- Reseed disturbed native prairie with a diverse 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.
- Design meteorological towers to be self standing (no guywires). If towers must be guyed, install and maintain appropriate visual line marking devices 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 recommend that you discuss with us in detail the type and duration of potential pre-construction literature reviews and wildlife surveys to quantify bird and bat use of the project area, and assist in assessment of risk to wildlife. Monitoring studies are also recommended post-construction 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 and bat impacts. We recommend these studies also be designed in coordination with our office, and that annual reports of the results of these monitoring studies 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).

We wish to stress the importance of implementing the recommendations contained in this letter, and of coordinating in a substantive and ongoing way with this office as your project planning proceeds. The way in which your company implements the Service's recommendations will determine whether or not the Service can agree that the project has included all available, feasible measures to comply with Federal wildlife law.

Thank you for the opportunity to provide comments. If you require further information as project planning proceeds, please contact Heidi Riddle of my staff, or contact me directly, at (701) 250-4481, or at the letterhead address.

Sincerely,

Jeffrey K. Towner

Jeffrey K. Towner
Field Supervisor
North Dakota Field Office

Enclosures

cc: Dakotas Zone Archeologist, Bismarck
(Attn: B. Williams)
Corps of Engineers, Bismarck Regulatory Office

FEDERAL THREATENED, ENDANGERED, AND CANDIDATE SPECIES
AND DESIGNATED CRITICAL HABITAT FOUND IN
STUTSMAN COUNTY, NORTH DAKOTA
March 2011

ENDANGERED SPECIES

Birds

Whooping crane (*Grus Americana*): Aransas-Wood Buffalo Population (264 birds) occurs in North Dakota counties during spring and fall migration between breeding and wintering areas. Whooping cranes prefer to roost overnight in shallow open water wetland habitat with good visibility during migration stopovers.

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.

CANDIDATE SPECIES

Birds

Sprague's Pipit (*Anthus spragueii*): Endemic to the Northern Great Plains native short-to-mixed grass prairie. Sensitive to fragmentation and conversion of grassland habitat. Sprague's pipits prefer relatively large prairie patches of at least approximately 72 acres, with larger patches of at least 360 acres preferred.

Invertebrates

Dakota skipper (*Hesperia dacotae*): Found in native prairie containing a high diversity of wildflowers and grasses. Habitat includes two prairie types: 1) low (wet) prairie dominated by bluestem grasses, wood lily, harebell, and smooth camas; 2) upland (dry) prairie on ridges and hillsides dominated by bluestem grasses, needlegrass, pale purple and upright coneflowers and blanketflower.

DESIGNATED CRITICAL HABITAT

Birds

Piping Plover - Alkali Lakes and Wetlands - Critical habitat includes: (1) shallow, seasonally to permanently flooded, mixosaline to hypersaline wetlands with sandy to gravelly, sparsely vegetated beaches, salt-encrusted mud flats, and/or gravelly salt flats; (2) springs and fens along edges of alkali lakes and wetlands; and (3) adjacent uplands 200 feet (61 meters) above the high water mark of the alkali lake or wetland.

Courtenay Wind Farm
FWS Coordination Meeting #2
02/22/2013
Bismark, ND

AGENDA

- Introductions/Reintroductions
    - Geronimo Energy Team
    - Courtenay Wind Farm
    - FWS Team
    - Tetra Tech Team
- Tier 1 Assessment
    - Scope
    - Findings
- Tier 2 Assessment
    - Scope
    - Findings
- Tier 3
    - Scope
        - Migratory Birds
        - Critical Species
    - Review of fall work
    - Go Forward
        - Critical Species
        - Spring and Breeding Bird Surveys
- Other Items

Courtenay Wind Farm
FWS Coordination Meeting #2
02/22/2013 at 10:00 AM
Bismark, ND
Meeting Notes

Attendees:

Geronimo Energy:
Patrick Smith-Director of Environmental Services
Jay Hesse-Courtenay Wind Farm Project Manager*
Heather Wayne-Environmental Associate*
Justin Pickar-Director of Development*
(* by phone)

USFWS:
Jeff Towner
Neil Shook
Heidi Riddle

Tetra Tech:
Kate Schindler

Materials:
Attachment 1: Agenda
Attachment 2: Geronimo's Tier 1 summary
Attachment 3: Tetra Tech Tier 2 report
Attachment 4: Tetra Tech Tier 3 fall survey report

- **Courtenay Wind Farm (CWF)**
  - Geronimo is developing CWF, a 200.5 MW wind energy project in Stutsman County, North Dakota;
  - Geronimo is a small Minnesota-based renewable energy company started in 2008;
  - Geronimo has developed 240mw of wind energy;
  - Geronimo is partnered with Enel Green Power, the second largest renewable energy developer globally;
  - Landscape of CWF is comprised mostly of row crops and wetlands;
  - Noted previous meeting and written communications from 2011 regarding Courtenay.
- **Tier 1 Assessment**
  - Jeff noted that many developers do not perform an initial evaluation of development options;
  - Geronimo is committed to using the Land Based Wind Energy Guidelines (LBWEGS) to shape development of the Courtenay Project;
    - Tier 1 of Geronimo's assessments looked at three alternatives selected because they were three opportunities Geronimo had for near term interconnection. Near term interconnection is necessary for a project to be commercially viable.
      - Courtenay Project
      - Cleveland/Grayson project
      - Sheridan Hills Project
    - Geronimo referred to their table for more detail on their tier 1 evaluation;

  - Service staff agreed that scoping projects to what was currently viable made sense;
  - Geronimo selected CWF due to an initial environmental assessment that involved habitat and species knowledge, including the information that FWS had provided on CWF and the other two projects.

- **Tier 2 Assessment**
  - Geronimo contracted with Tetra Tech to provide environmental services to the project including performing a tier 2 and tier 3 assessment
  - TTI had provided their tier 2 report in advance of the meeting and reviewed basic methodology.
  - Discussion focused on piping plover review, FWS intends to provide the site photos and report to internal piping plover expert for review
  - FOLLOW UP – Call with FWS plover person regarding further habitat assessment for piping plovers
- **Tier 3**
  - Scope
    - Migratory Birds
    - Critical Species
  - Review of fall work
    - Critical Species:
      - No Sandhill or Whooping Cranes observed in fall migration
      - No Piping Plovers observed
      - One species of habitat fragmentation concern (Northern Harrier) observed
  - Go Forward
    - Critical Species
      - Spring and Summer surveys
      - Bat Surveys
    - Service asked about assessing and addressing habitat fragmentation
      - Geronimo will evaluate and address in their BBCS
- **Threatened and Endangered Species**
  - Importance of closely assessing the possible presence of threatened and endangered species as Courtenay Wind Farm moves forward
    - Also examine what that assessment will mean for the likelihood of take, both physical and in terms of habitat.
- **FWS Land-Based Wind Energy Guidelines**
  - Incorporation and full consideration of FWS Land-Based Wind Energy Guidelines into CWF's biological studies and mitigative measures
  - FWS Habitat conservation plans are under development for whooping cranes and piping plover
- **Species-specific conversations with Geronimo and FWS**

- Species-specific follow-up conversations regarding whooping cranes and piping plover may be appropriate
- **Whooping Cranes**
  - Service staff remarked that early scientific data support the belief that whooping cranes will avoid and navigate around wind turbines.
  - At this time, Geronimo (in conjunction with TT) continues to assess the possible presence of whooping cranes and their habitat at/near CWF
  - Consider two judgments:
    - Potential for lethal take by turbine strike
    - Modification of wetland roosting habitat by turbines
- **Eagles**
  - Geronimo is considering a detailed desktop habitat search, followed by a more in depth nest search
    - FWS Staff agreed that this is an acceptable methodology
  - FOLLOW UP – FWS may be able to provide information about and locations of known eagle nests
- **Bats**
  - FWS not sure about bat data in CFW's area, believes there are more bats in the Valley City/River area.
  - Not a lot of available data about North Dakota bat populations
  - GWE will plan on doing some baseline monitoring to understand bat populations and data in the CWF area.
  - FWS staff remarked that bats are probably a lower priority in this area than in other areas of North Dakota.
  - FWS and Geronimo are not sure if other North Dakota wind energy projects have filed bat-related reports with the PSC.

- **Mitigative measures**
  - Compensatory mitigation may be a viable option, especially when adjusting for a habitat modification affect.
  - FWS has examples projects to share regarding compensatory mitigation
  - Basin Electric's Minot project worked in conjunction with the North Dakota Natural Resources Trust, which in turns coordinates with the FWS
- **Habitat fragmentation and mitigation**
  - FWS would like to understand potential for fragmentation, and recommends avoiding impacts if possible, or mitigation if avoidance is not possible
  - Will further discuss how Geronimo plans to address habitat fragmentation
  - Northern Harrier and Sedge Wren are species of habitat fragmentation concern that likely occur within the Project Area based on the habitat observed during the Tier 2 site visit
  - Geronimo provided land cover maps based on publicly available data. No ground trothing has occurred yet.
- **Land Ownership and Easements**
  - FWS does not have fee title at this time within CWF

  - As of the time of writing, FWS' current land interests in CWF are wetland easements
  - Potential coordination with FWS regarding the construction of roads that could affect FWS related wetlands and waters.

- **Temporary impacts versus permanent impacts**
  - Geronimo tries to avoid permanent impacts from a design standpoint
  - Service staff acknowledged that temporary impacts that stay within a road right-of-way are generally not an issue
    - Permanent impacts may initiate an exchange process for easements
- **Wetlands**
  - FWS may have some helpful maps (Exhibit A to Wetland Easements), but the maps do not delineate the wetlands
  - FWS generally relies on the company or the company's consultants for delineations
  - When turbine sites are better known by CWF, FWS would be willing to walk the site with Geronimo or TTI to help identify wetlands
  - FOLLOW UP – Spring Wetland Review on parcels that both Courtenay and FWS have easements.
- **Power Purchase Agreement**
  - Various interested parties
  - Geronimo is confident, believes CWF is a very real project
  - FWS likes to gauge how much time to invest in a project
  - Ideally start minimal construction in late 2013, and ramp up construction in April 2014
  - Discussion of the requirements of the expiring production tax credit
- **Breeding bird study methodology**
  - Typically the methodology is determined by the individual company or their consultant. This is acceptable.
- **Transmission Line**
  - Geronimo will be studying the area around the transmission line associated with CWF
  - Transmission line route is not finalized at this time, land acquisition efforts are still active
  - Transmission line marking
    - FWS Staff remarked that they usually leave the decision of what markers to use up to the company. Does not usually recommend specific line marking equipment.
    - WAPA may be issuing a study regarding the effectiveness or various marking equipment, if FWS receives this they will forward it on.

Patrick Smith

From: Patrick Smith
Sent: Monday, April 08, 2013 5:44 PM
To: Heidi Riddle
Cc: Heather L. Wayne; Gorman, Kim; Schindler, Kate
Subject: RE: Meeting Follow Up
Attachments: C1-Courtenay Whooping Crane Likelihood Assessment.pdf

Hi Heidi,

Attached is the Whooping Crane habitat assessment for Courtenay.

Patrick Smith
Director of Env. Planning

Phone: 952-988-9000
Fax: 952-988-9001
Email: patrick@geronimoenergy.com

Geronimo Energy
7650 Edinborough Way, Suite 725
Edina MN 55435

From: Patrick Smith
Sent: Wednesday, March 20, 2013 8:38 PM
To: Heidi Riddle
Cc: Heather L. Wayne; Gorman, Kim; Schindler, Kate
Subject: Re: Meeting Follow Up

Great, thanks Heidi. Please let us know if the service has any additional thoughts; as soon as the roads clear we are going to get out there.

On Mar 18, 2013, at 4:32 PM, "Heidi Riddle" <heidi_riddle@fws.gov> wrote:

> Patrick,
>
> Thank you for the responses to my questions. I talked with Carol Aron, our piping plover biologist, and she indicated that as long as your existing surveys clearly demonstrate that the wetlands within the wind farm footprint are marginal at best, she does not have any additional recommendations for surveys. I would just caution that wetland conditions at the time of the surveys should be considered - could wetter or drier conditions yield different suitability, ie, more shoreline, less vegetation? Meaning that unsuitable conditions this year may become more suitable at some point throughout the life of the project.
>
> Thanks and let me know if you have any questions,
> Heidi
>
> ---
>
> **From:** Patrick Smith [mailto:Patrick@geronimoenergy.com]
> **Sent:** Thursday, March 14, 2013 2:22 PM
> **To:** Heidi Riddle
> **Cc:** Heather L. Wayne; Gorman, Kim; Schindler, Kate
> **Subject:** RE: Meeting Follow Up
>
> Hi Heidi,

Thanks for the follow up and the check of the service database! I've put answers to your questions are below in green, after reading through them please let me know if you have any edits to the minutes. Regarding the Plover issue – we plan on being out on site in the very near future and want to be able incorporate your plover expert's thoughts into our surveys; because it is a tight time frame with spring migration and the project's development schedule we could get into a situation where feedback is received too late to be of use. As of now we will proceed with the information we have at hand but if we are to incorporate her comments we will need them in the next week to week and a half, would it be okay if we followed up with her directly?

Best Regards,

Patrick

Patrick Smith
Director of Env. Planning

Phone: 952-988-9000
Cell: 651-308-9823
Fax: 952-988-9001
Email: patrick@geronimowind.com

Geronimo Energy
7650 Edinborough Way, Suite 725
Edina MN 55435

From: Heidi Riddle [mailto:heidi_riddle@fws.gov]
Sent: Thursday, March 14, 2013 12:29 PM
To: Patrick Smith
Cc: Heather L. Wayne; Gorman, Kim; Schindler, Kate
Subject: RE: Meeting Follow Up

Hi Patrick,

I scanned the meeting notes quickly, and I did notice a couple of things that I thought we discussed – Was Geronimo/TetraTech going to provide us with a landcover map/assessment? This is included in the Tier 2 report, please let us know if you have any questions about it. Also, the whooping crane habitat assessment? We are waiting on data from the Service regarding the 2011 and 2012 migrations to complete the report, once it is complete we will send it along. The Service office we are waiting on is not your office but if you have access to the data and can share it that would speed things along.

Your eagle nest survey protocol references the 2011 Draft Eagle Conservation Plan Guidance as the source for selecting a 2-mile buffer, but the Guidance document recommends site-specific surveys on and within 10 miles of the project footprint, so I'm wondering about the discrepancy? Page 12 of the DECPG indicate that other approaches may be acceptable and evaluated on a case-by-case basis. A 10-mile distance is used "because the Service has defined the area nesting population for golden eagles to be the 'number of pairs of golden eagles known to have a nesting attempt during the preceding 12 months within a 10-mile radius of a golden eagle nest." Golden eagles are not anticipated to occur within the Project Area based on their range (http://www.npwrc.usgs.gov/resource/literatr/grasbird/goea/goea.htm). Because of these reasons and because the site lacks any of the features identified in Appendix D that are identified as risk factors (i.e. topographic features that are conducive to soaring and/or create potential flight corridors, proximity to potential foraging sites, and presence of perch structures or roost sites) it was our opinion that a 10 mile search area would not add value to our understanding of the sites biology. Confirming this you note the

Service doesn't have any records of nests in a 10 mile radius and, while not comprehensive, the geographic area you are searching would likely include service land and easements for which I anticipate the service would have recorded nests if nests were present. We are always open to additional information but right now we want to focus our limited resources on surveys that add significant value to the assessment of the site; a 10 mile search radius is something we don't see as justified in this case based on the information I've highlighted.

As a follow-up item, I said I would review our eagle database. According to the database, there are no known eagle nests within 10 miles of your project footprint.

I have also followed up with the plover biologist, but I cannot give a timeframe for her feedback at this point. I'll contact you if she needs additional information or if a conference call might be necessary.

Regards,
Heidi

From: Patrick Smith [mailto:Patrick@geronimoenergy.com]
Sent: Friday, March 08, 2013 3:42 PM
To: Heidi Riddle (heidi_riddle@fws.gov)
Cc: Heather L. Wayne; Gorman, Kim (Kim.Gorman@tetratech.com); Schindler, Kate (Kathleen.Schindler@tetratech.com)
Subject: Meeting Follow Up

Hi Heidi,

Thanks again for the meeting. Attached are the minutes we have from it, let me know if we missed anything. I'm also attaching the draft stick nest survey protocol, it is essentially what we talked about in our meeting. We will be implementing it in the next couple weeks unless you have any additional comments or recommendations on it. One item we want to follow up on before we hit the ground in the spring is connecting with the person who handles piping plovers in your office, would you be able to connect us with them?

Bet Regards,

Patrick

Patrick Smith
Director of Env. Planning

Phone: 952-988-9000
Fax: 952-988-9001
Email: patrick@geronimowind.com

Geronimo Energy
7650 Edinborough Way, Suite 725
Edina MN 55435

TETRA TECH

March 4, 2013

Ms. Heidi Riddle
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, North Dakota 58501

Subject: Proposed Eagle Nest Survey Protocol
Courtenay Wind Farm Project – Stutsman County, North Dakota

Dear Ms. Riddle:

Tetra Tech has been contracted by Geronimo Energy (GE) to provide environmental support for their proposed Courtenay Wind Farm project in Stutsman County, North Dakota (the Project). The Project is located approximately 15 miles north of the Jamestown, North Dakota in northeast Stutsman County and will consist of approximately 120 turbines.

Geronimo is committed to environmental due diligence and intends to conduct eagle nest surveys of the Project Area (the area were Project facilities will be developed), proposed transmission line route, and a buffer area per recommendations in your March, 18, 2011 review of the Project. Because the breeding range of the golden eagle does not extend into Stutsman County, the survey will focus on identifying bald eagle nests. The area that will be evaluated will include the Project Area, proposed transmission line route, and a two-mile buffer of each. A two-mile buffer was chosen based on research of bald eagle territory size cited within the U.S. Fish and Wildlife Service Draft Eagle Conservation Plan Guidance. Aerial photographs from 2012 will be reviewed to identify potential bald eagle nesting habitat within the evaluation area. A biologist will conduct field reconnaissance of areas containing potential nesting habitat from the nearest public right-of-way using binoculars and a spotting scope. The field reconnaissance will be conducted in the spring before deciduous trees have leafed out to allow visibility of nests. If bald eagle nests are identified, the biologist will record the location of the nests and take photographs of the nests. Other raptor nests, such as red-tailed hawk nests, will also be recorded. The biologist will use a standardized data collection form to record species, activity status, nest height, nest condition, nest substrate and other relevant data for the nest. The results of the nest survey will be compiled within the Tier 3 spring avian survey report, which will be provided to your office for review.

TETRA TECH Inc.
2001 Killebrew Drive, Suite 141, Bloomington, MN 55425
Tel 612-643-2200 Fax 612-643-2201 www.tetratech.com

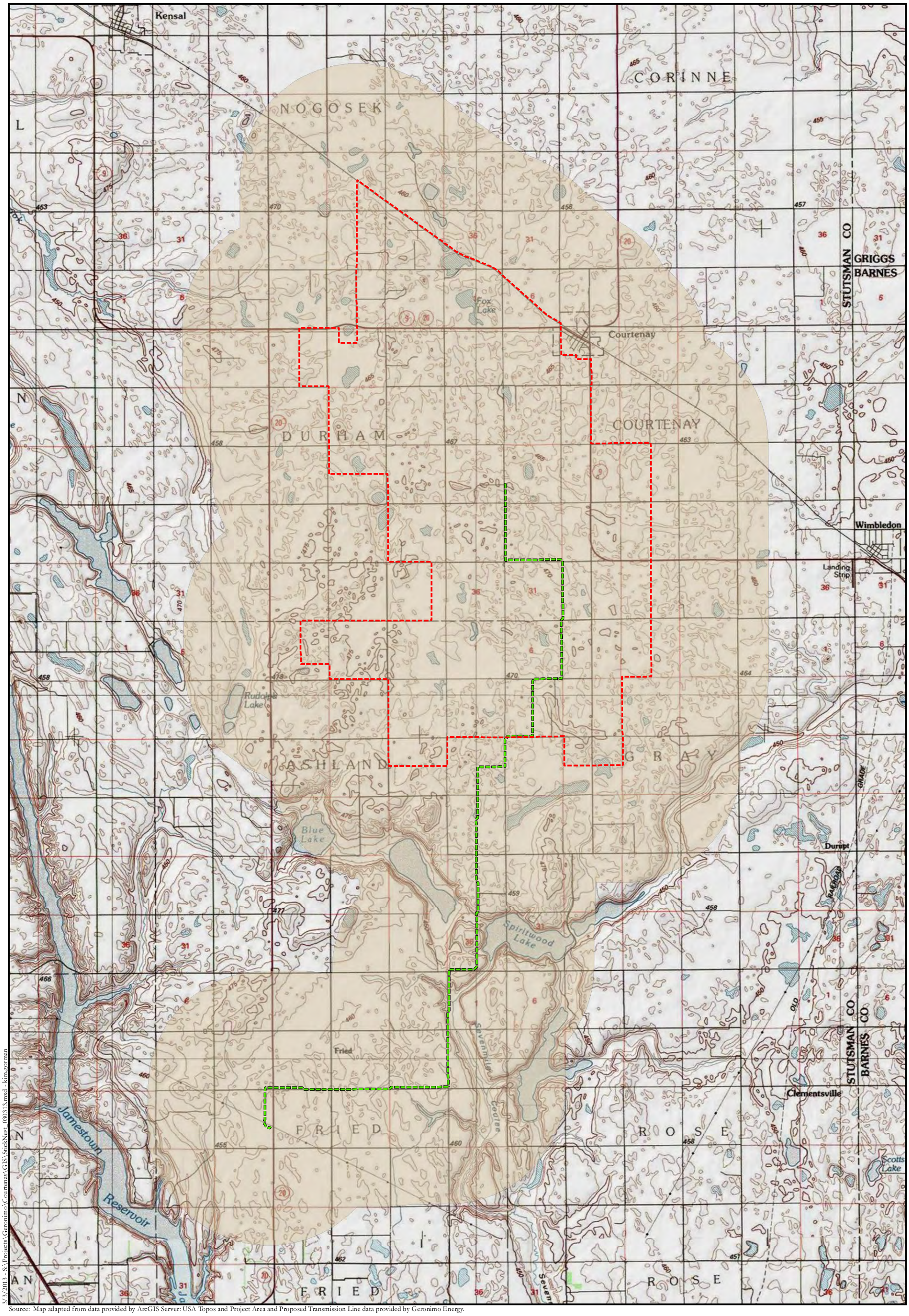
Geronimo would appreciate your review of the protocol described above and a response indicating your approval of the protocol. If you have questions or need additional information, please feel free to contact me at 612-643-2240.

Sincerely,

Kate Schindler
Biologist
kate.schindler@tetratech.com

Enclosures: Figure 1 – Project Area, Transmission Line Route, and Two-mile Buffer

CC: Patrick Smith – Geronimo Energy



3/3/2013 - S:\Projects\Geronimo\Courtenay\GIS\StickNest_030313.mxd - kim.gorman

Source: Map adapted from data provided by ArcGIS Server: USA Topos and Project Area and Proposed Transmission Line data provided by Geronimo Energy.

Proposed Stick Nest Survey Area

Proposed Transmission Line

Project Area

Figure 1 - Proposed Stick Nest Survey Area
Courtenay Wind Farm Project
Stutsman County, North Dakota

COURTENAY WIND FARM
Stutsman County, ND

TETRA TECH

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

REPLY TO
ATTENTION OF

February 6, 2013

North Dakota Regulatory Office

Mr. Patrick Smith
Geronimo Energy LLC
7650 Edinborough Way Suite 725
Edina, Minnesota 55435

Dear Mr. Smith:

This is in response to your letter dated February 1, 2013, requesting US Army Corps of Engineers (Corps) comments regarding a project to construct the Courtenay Wind Project within an approximately 25,000 acre area that will consist of up to 134 wind turbines with a height of 499' or less and associated facilities such as roads, underground electrical collection system, meteorological towers, a substation, an operation and maintenance facility, and an associated 115kV transmission line extending out of the project area located in Stutsman County, North Dakota.

Based on the information contained within your letter, it appears a Department of the Army permit may be required for all or part of your proposed project(s). In order for us to fully evaluate your project(s), please complete and submit the Corps permit application (copy enclosed). Be sure to accurately describe all proposed work and construction methodology. Once the application is complete, please mail it to the letterhead address.

Please be advised, Corps regulatory offices administer Section 10 of the Rivers and Harbors Act (Section 10) and Section 404 of the Clean Water Act (Section 404). Section 10 regulates work impacting navigable waters. Section 10 waters in North Dakota are the Missouri River (including Lake Sakakawea and Lake Oahe), Yellowstone River, James River south of the railroad track in Jamestown, North Dakota, Bois de Sioux River, Red River of the North, and the Upper Des Lacs Lake. Work over, in, or under navigable waters is considered to have an impact. Section 404 of the Clean Water Act regulates the discharge of dredged 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 waters of the United States.

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
State Program Manager
North Dakota

Enclosure

U.S. ARMY CORPS OF ENGINEERS

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

33 CFR 325. The proponent agency is CECW-CO-R.

OMB APPROVAL NO. 0710-0003
EXPIRES: 28 FEBRUARY 2013

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

_____ _____
SIGNATURE OF APPLICANT 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
15. LOCATION OF PROJECT	City - State- Zip-
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	Type	Type
Amount in Cubic Yards	Amount in Cubic Yards	Amount in Cubic Yards

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

Acres

or

Linear 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).

a. Address-

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates 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 permit or permits to authorize the work described in this application. I certify that this 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.

Block 20. Reasons for Discharge. If the activity involves the discharge of dredged and/or fill material into a wetland or other waterbody, including the temporary placement of material, explain the specific purpose of the placement of the material (such as erosion control).

Block 21. Types of Material Being Discharged and the Amount of Each Type in Cubic Yards. Describe the material to be discharged and amount of each material to be discharged within Corps jurisdiction. Please be sure this description will agree with your illustrations. Discharge material includes: rock, sand, clay, concrete, etc.

Block 22. Surface Areas of Wetlands or Other Waters Filled. Describe the area to be filled at each location. Specifically identify the surface areas, or part thereof, to be filled. Also include the means by which the discharge is to be done (backhoe, dragline, etc.). If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into a waterbody. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Description of Avoidance, Minimization, and Compensation. Provide a brief explanation describing how impacts to waters of the United States are being avoided and minimized on the project site. Also provide a brief description of how impacts to waters of the United States will be compensated for, or a brief statement explaining why compensatory mitigation should not be required for those impacts.

Block 24. Is Any Portion of the Work Already Complete? Provide any background on any part of the proposed project already completed. Describe the area already developed, structures completed, any dredged or fill material already discharged, the type of material, volume in cubic yards, acres filled, if a wetland or other waterbody (in acres or square feet). If the work was done under an existing Corps permit, identity the authorization, if possible.

Block 25. Names and Addresses of Adjoining Property Owners, Lessees, etc., Whose Property Adjoins the Project Site. List complete names and full mailing addresses of the adjacent property owners (public and private) lessees, etc., whose property adjoins the waterbody or aquatic site where the work is being proposed so that they may be notified of the proposed activity (usually by public notice). If more space is needed, attach an extra sheet of paper marked Block 24.

Information regarding adjacent landowners is usually available through the office of the tax assessor in the county or counties where the project is to be developed.

Block 26. Information about Approvals or Denials by Other Agencies. You may need the approval of other federal, state, or local agencies for your project. Identify any applications you have submitted and the status, if any (approved or denied) of each application. You need not have obtained all other permits before applying for a Corps permit.

Block 27. Signature of Applicant or Agent. The application must be signed by the owner or other authorized party (agent). This signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number.

Please submit one original, or good quality copy, of all drawings on 8½ x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). **While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.**

Vicinity Map

The vicinity map you provide will be printed in any public notice that is issued and used by the Corps of Engineers and other reviewing agencies to locate the site of the proposed activity. You may use an existing road map or US Geological Survey topographic (scale 1:24,000) as the vicinity map. Please include sufficient details to simplify locating the site from both the waterbody and from land. Identify the source of the map or chart from which the vicinity map was taken and, if not already shown, add the following:

- location of activity site (draw an arrow showing the exact location of the site on the map).
- latitude, longitude, river mile, if known, and/or other information that coincides with Block 6 on the application form.
- name of waterbody and the name of the larger creek, river, by, etc., that the waterbody is immediately tributary to.
- names, descriptions and location of landmarks.
- name of all applicable political (county, parish, borough, town, city, etc.) jurisdictions
- name of and distance to nearest town, community, or other identifying locations
- names or numbers of all roads in the vicinity of the site.
- north arrow.
- scale.

Plan View

The plan view shows the proposed activity as if you were looking straight down on it from above. your plan view should clearly show the following:

- Name of waterbody (river, creek, lake, wetland, etc.) and river mile (if known) at location of activity.
- Existing shorelines.
- Mean high and mean low water lines and maximum (spring) high tide line in tidal areas.
- Ordinary high water line and ordinary low water line if the proposed activity is located on a non-tidal waterbody.
- Average water depths around the activity.
- Dimensions of the activity and distance it extends from the high water line into the water.
- Distances to nearby Federal projects, if applicable.
- Distance between proposed activity and navigation channel, where applicable.
- Location of structures, if any, in navigable waters immediately adjacent to the proposed activity.
- Location of any wetlands (marshes, swamps, tidal flats, etc.)
- North arrow.
- Scale.
- If dredged material is involved, you must describe the type of material, number of cubic yards, method of handling, and the location of fill and spoil disposal area. The drawing should show proposed retention levees, weirs, and/or other means for retaining hydraulically placed materials.
- Mark the drawing to indicate previously completed portions of the activity.

Cross Section View and/or Elevation

The elevation and/or cross section view is a scale drawing that shows the side, front, or rear of the proposed activity. If a section view is shown, it represents the proposed structure as it would appear if cut internally for display. Your elevation should clearly show the following:

- Water elevations as shown in the plan view.

- Water depth at water-ward face of proposed activity or, if dredging is proposed, dredging and estimated disposal grades.
- Dimensions from mean high water line (in tidal waters) of proposed fill or float, or high tide line for pile supported platform. Describe any structures to be built on the platform.
- Cross section of excavation or fill, including approximate side slopes.
- Graphic or numerical scale.
- Principal dimensions of the activity

Notes on Drawings*

- Names of adjacent property owners who may be affected. Complete names and addresses should be shown in Block 5 on ENG Form 4345.
- Legal property description: Number, name of subdivision, block, and lot number. Section, Township, and Range (if applicable) from plot, deed, or tax assessment.
- Photographs of the site of the proposed activity are not required; however, pictures are helpful and may be submitted as part of any application.
- **While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.**

* Drawings should be as clear and simple as possible (ie, not too "busy").

NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov

February 13, 2013

Mr. Patrick Smith
Development Services
Geronimo Energy, LLC
7650 Edinborough Way, Suite 725
Edina, MN 55435

Re: Courtenay Wind Project, 15 Miles North of Jamestown
Stutsman County, North Dakota

Dear Mr. Smith:

This department has reviewed the information concerning the above-referenced project submitted under date of February 1, 2013, with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. All necessary measures must be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise are to be dealt with in an efficient and effective manner.

2. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.

3. Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701-328-5210). Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local storm water management considerations are addressed.

4. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a

recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours.

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,

L. David Glatt, P.E., Chief
Environmental Health Section

LDG:cc
Attach.

NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov

Construction and Environmental Disturbance Requirements

These represent the minimum requirements of the North Dakota Department of Health. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect the waters of the State of North Dakota. All projects will be designed and implemented to restrict the losses or disturbances of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion of exposed soil surfaces and trapping sediments being transported. Examples include, but are not restricted to, sediment dams or berms, diversion dikes, hay bales as erosion checks, riprap, mesh or burlap blankets to hold soil during construction, and immediately establishing vegetative cover on disturbed areas after construction is completed. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, or land resources will be protected against compaction, vegetation loss, and unnecessary damage.

Surface Waters

All construction which directly or indirectly impacts aquatic systems will be managed to minimize impacts. All attempts will be made to prevent the contamination of water at construction sites from fuel spillage, lubricants, and chemicals, by following safe storage and handling procedures. Stream bank and stream bed disturbances will be controlled to minimize and/or prevent silt movement, nutrient upsurges, plant dislocation, and any physical, chemical, or biological disruption. The use of pesticides or herbicides in or near these systems is forbidden without approval from this Department.

Fill Material

Any fill material placed below the high water mark must be free of top soils, decomposable materials, and persistent synthetic organic compounds (in toxic concentrations). This includes, but is not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill materials. All temporary fills must be removed. Debris and solid wastes will be removed from the site and the impacted areas restored as nearly as possible to the original condition.

Jack Dalrymple, Governor
Mark A. Zimmerman, 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

February 8, 2013

Mr. Patrick Smith
Geronimo Energy
Ste. 725
7650 Edinborough Way
Edina, MN 55435

Re: Courtenay Wind Farm – Stutsman County

Dear Mr. Smith,

The North Dakota Parks and Recreation Department (the Department) has reviewed the above referenced proposal for the construction of Courtenay Wind Farm near Jamestown, North Dakota.

Our agency scope of authority and expertise covers recreation and biological resources (in particular rare plants and ecological communities). The project as defined does not affect state park lands that we manage but may affect state Land and Water Conservation Fund (LWCF) project sites that we manage. A map with LWCF project locations has been attached. All LWCF sites received assistance from the federal LWCF program and are under protection of section 6(f) of the LWCF Act. Any property taken from within the 6f boundary of these sites must be replaced with property of equal market value. Should any public or private utilities need to be added or relocated on the LWCF recreational lands, the NDPRD must be consulted prior to any action taken. Please contact Kevin Stankiewicz (701-328-5364 or kstankiewicz@nd.gov) if additional LWCF information is needed.

The North Dakota Natural Heritage biological conservation database has been reviewed to determine if any current or historical 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, several plants, animal and significant ecological community occurrences have been identified within or adjacent to the project areas. Please see the attached spreadsheet and maps for more specific information on these species.

We defer further comments regarding animal species to the North Dakota Game and Fish Department and the United States Fish and Wildlife Service. 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.

The Department recommends that the project be accomplished with minimal impacts and that all efforts be made to ensure that critical habitats not be disturbed in the project area to help secure rare species conservation in North Dakota. Regarding any reclamation efforts, we recommend that any impacted areas be revegetated with species native to the project area.

We appreciate your commitment to rare plant, animal and ecological community conservation, management and inter-agency cooperation to date. For additional information please contact Kathy Duttenhefner (701-328-5370 or kgduttenhefner@nd.gov) of our staff. Thank you for the opportunity to comment on this proposed project.

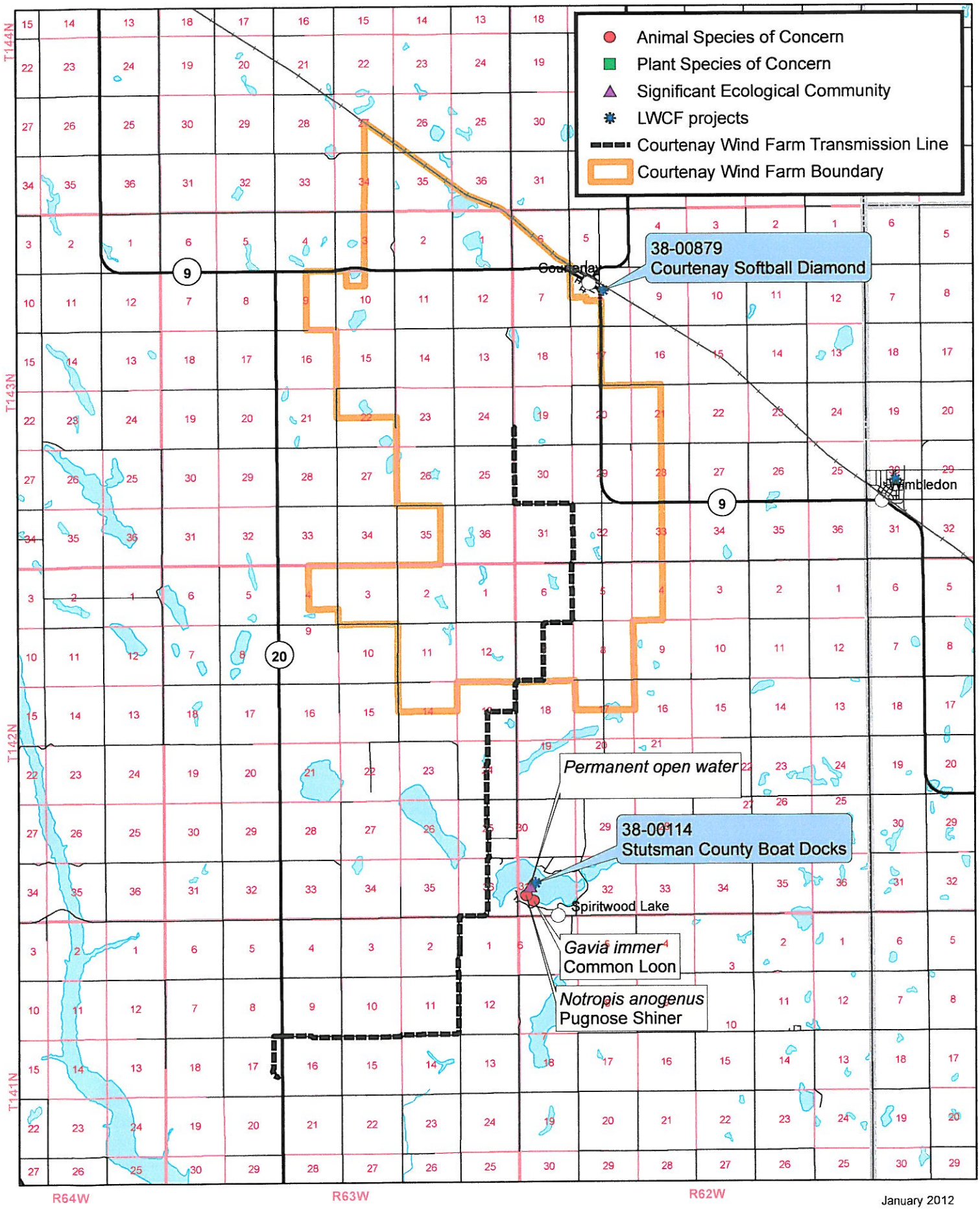
Sincerely,

for Kathy Duttenhefner

Jesse Hanson, Manager
Planning and Natural Resources Division

R.USNDNHI*2013_018KD2/4/2013DL2.3.2013

North Dakota Parks and Recreation Department
North Dakota Natural Heritage Inventory



January 2012

North Dakota Natural Heritage Inventory

Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
Gavia immer	Common Loon	S4	G5		142N062W - 31; 141N062W - 21; 142N062W - 29; 141N062W - 11; 141N062W - 20; 142N062W - 19; 142N063W - 23; 141N062W - 10; 142N062W - 30; 142N063W - 13; 142N062W - 27; 141N063W - 01; 142N062W - 17; 142N063W - 25; 141N062W - 30; 141N063W - 26; 142N063W - 15;	Stutsman	22450		G
Notropis anogenus	Pugnose Shiner	S1	G3		142N062W - 31; 142N063W - 36; 142N063W - 25; 142N062W - 32; 141N063W - 02; 141N062W - 05; 142N062W - 29; 141N063W - 01; 141N062W - 06; 141N063W - 12; 142N062W - 30; 141N062W - 07; 142N063W - 35	Stutsman	23491		M
Permanent open water		S2	GNR		142N062W - 31	Stutsman	1977		S

North Dakota Natural Heritage Inventory Biological and Conservation Data Disclaimer

The quantity and quality of data collected by the North Dakota Natural Heritage Inventory are dependent on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in North Dakota have never been thoroughly surveyed, and new species are still being discovered. For these reasons, the Natural Heritage Inventory cannot provide a definite statement on the presence, absence, or condition of biological elements in any part of North Dakota. Natural Heritage data summarize the existing information known at the time of the request. Our data are continually upgraded and information is continually being added to the database. This data should never be regarded as final statements on the elements or areas that are being considered, nor should they be substituted for on-site surveys.

Estimated Representation Accuracy

Value that indicates the approximate percentage of the Element Occurrence Representation (EO Rep) that was observed to be occupied by the species or community (versus buffer area added for locational uncertainty). Use of estimated representation accuracy provides a common index for the consistent comparison of EO reps, thus helping to ensure that aggregated data are correctly analyzed and interpreted.

Very high (>95%)
High (>80%, <= 95%)
Medium (>20%, <= 80%)
Low (>0%, <= 20%)
Unknown
(null) - Not assessed

Precision

A single-letter code for the precision used to map the Element Occurrence (EO) on a U.S. Geological Survey (USGS) 7.5' (or 15') topographic quadrangle map, based on the previous Heritage methodology in which EOs were located on paper maps using dots.

S - Seconds: accuracy of locality mappable within a three-second radius; 100 meters from the centerpoint
M - Minute: accuracy of locality mappable within a one-minute radius; 2 km from the centerpoint
G - General: accuracy of locality mappalbe to map or place name precision only; 8 km from centerpoint
U - Unmappable

"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

November 16, 2010

Karyn O'Brien
Environmental Planning Specialist
Geronimo Wind Energy, LLC
7650 Edinborough Way, Suite 725
Edina, MN 55435

Dear Ms. O'Brien:

RE: Courtenay Wind Project – Stutsman County, North Dakota
Grayson Wind Project – Stutsman County, North Dakota

The North Dakota Game and Fish Department has reviewed this project for wildlife concerns.

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.

The Leo M. Kirsch Wildlife Management Area (WMA) is located in the southeast quarter of Section 12, T140N, R68W, immediately adjacent to the project boundary of the Grayson Wind Project. We ask that wind turbines be set-back from the WMA a sufficient distance to minimize possible disturbance to wildlife.

The National Wetland Inventory indicates 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 if possible, we would like the GPS coordinates for each turbine after the site has been established.

Sincerely,

Paul Schadewald
Chief
Conservation & Communication Division

js

"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

February 27, 2013

Kate Schindler
Biologist
Tetra Tech Inc.
2001 Killebrew Drive, Suite 141
Bloomington, MN 55425

Dear Ms. Schindler:

RE: Courtenay Transmission Line Project
Stutsman County, North Dakota

The North Dakota Game and Fish Department has reviewed this project for wildlife concerns.

The National Wetland Inventory indicates various wetlands within the proposed project corridor. We ask that steps be taken to protect any wetlands that cannot be avoided, above-ground appurtenances not be placed in wetland areas, and existing drainage patterns be maintained.

We recommend that overhead lines be marked when placed over perennial streams or sited in close proximity to large wetland complexes to minimize possible avian impacts. The publication "Mitigating Bird Collisions with Power Lines: the State of the Art in 1994" provides a range of management options which can be used to reduce avian collisions.

We do not believe this project will have any significant adverse effects on wildlife or wildlife habitat provided these recommendations are implemented as appropriate and disturbed areas are reclaimed to pre-project conditions.

Sincerely,

Greg Link
Chief
Conservation & Communication Division

js

STATE HISTORICAL SOCIETY OF NORTH DAKOTA

February 26, 2013

Mr. Dean T. Sather
Westwood Professional Services
7699 Anagram Drive
Eden Prairie, MN 55344

ND SHPO REF: 13-0633 PSC PU-13-64 Geronimo Wind Energy, Courtenay Wind Farm, LLC, 200.5 MW Wind Energy Conversion Facility 58 – 120 turbines Stutsman County, North Dakota

Dear Mr. Sather,

We reviewed your very preliminary information on ND SHPO REF: 13-0633 PSC PU-13-64 Geronimo Wind Energy, Courtenay Wind Farm, LLC, 200.5 MW Wind Energy Conversion Facility Stutsman County, North Dakota. There is potential for unrecorded and recorded cultural resource properties in a variety of physiographic settings in the overall project area. If the project requires permits issued by a federal and/or state agency (e.g., WAPA, RUS, COE, USFWS, BOR, PSC) then the respective agencies are to be consulted regarding their recommendations on the project. As a potential federal undertaking, we encourage early agency consultation as part of the review process. Early consultation should also include tribal nations, North Dakota Indian Affairs, ND DOT regarding any Scenic Byways, and managers or owners of properties maintained for recreational or scenic value.

We recommend a Class II (reconnaissance) survey by a permitted architectural historian for standing structures in the visual Area of Potential Effect (APE), and Class III survey of those found to be fifty years of age or older by a permitted architectural historian. Class III (pedestrian) surveys will be warranted for all areas directly impacted by the project, including crane paths, access roads, transmissions lines and turbine pads. We encourage you to invite tribal monitors to survey the APE. As part of the Class III Inventory, NDCRS site updates should be submitted on all sites resurveyed. If the project APE changes, we will request additional Class I (Cultural Resource Literature Search) inventories and consultation.

Thank you for the opportunity to review this project to date. We look forward to further review of cultural resource surveys and site forms, and updates as the project siting occurs. If you have any questions please contact Paul Picha, Chief Archaeologist (701) 328-3574 or Susan Quinnell, Review and Compliance Coordinator at (701) 328-3576, e-mail squinnell@nd.gov

Sincerely,

Merlan E. Paaverud, Jr.
State Historic Preservation Officer (North Dakota) and
Director, State Historical Society of North Dakota

C: Patrick Fahn, PSC