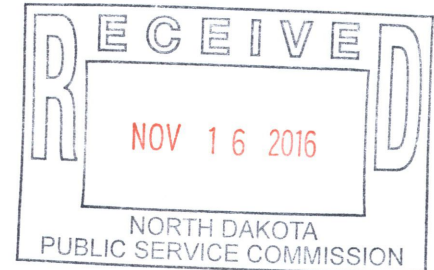


Casey A. Furey
100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58502-2798
701.223.6585
cfurey@crowleyfleck.com

November 16, 2016

Via US Mail

Mr. Darrell Nitschke
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480



In re: Brady Wind II, LLC
PSC Case No. PU-16-042
Our File No. 035218-000027

Dear Mr. Nitschke:

Enclosed for filing in the above captioned matter is the Wetland Addendum referenced in Brady Wind II, LLC's September 16th, 2016 filing, docket entry No. 95.

Please call should you have any questions.

Sincerely,

CROWLEY FLECK PLLP

A handwritten signature in blue ink, appearing to read "Casey A. Furey", with a long horizontal line extending to the right.

Casey A. Furey

CAF: rw

Enc.

cc: Julie Prescott (via email)
Jaimee Antognazzi (via email)



TO: NextEra Energy Resources, LLC
FROM: Tetra Tech, Inc.
DATE: November 15, 2016
SUBJECT: Brady II Wind Energy Center – Wetlands and Other Waters of the United States Survey Addendum

Brady II Wind, LLC (Brady II Wind), a wholly owned, indirect subsidiary of NextEra Energy Resources, LLC contracted with Tetra Tech, Inc. (Tetra Tech) to conduct a wetlands and other waters of the U.S. (WoUS) survey within its Brady II Wind Energy Center (Project), located in Hettinger and Stark counties, North Dakota. The results of this survey were presented in a report dated May 2016. This addendum to the May 2016 report presents the findings of an additional survey effort completed in August 2016 for modifications to collection lines, herein known as the addendum survey corridor.

This survey addendum provides a description of wetlands and other WoUS identified within the addendum survey corridor. This report includes a description of the methodology, results, and conclusions of the wetlands and other WoUS determination survey completed for the addendum survey corridor.

METHODS

Tetra Tech conducted a desktop analysis of the addendum survey corridor to identify potential jurisdictional wetlands and other WoUS. Desktop analyses used the following sources of information: aerial photographs, the U.S. Geological Survey National Hydrography Dataset, the National Wetlands Inventory, and the Soil Survey Geographic database.

Wetland determinations for the Project generally followed the methodology found in the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual (Environmental Laboratory 1987) and the Regional Supplement to the USACE Wetland Delineation Manual: Great Plains Region (Version 2.0; USACE 2010). Wetland boundaries are determined based on observations of vegetation, hydrology, and topography. For a site to be considered a wetland, there must be positive indication of dominance by hydrophytic vegetation and characteristic wetland hydrology. Tetra Tech conservatively mapped wetlands and other WoUS to ensure the Project would remain below the USACE's Pre-Construction Notification (PCN) permitting thresholds. Observations of each potential wetland identified during the survey were documented using wetland determination forms that are on record at the Tetra Tech office in Golden, Colorado.

A Geographic Information System specialist designed a geodatabase specifically for the Project that was used to (1) capture wetland and non-wetland feature location data in the field with Trimble Global Positioning System (GPS) technology and (2) manage and display features for

quality control and electronic deliverables. The geodatabase was loaded on the Trimble Geo 7X handheld GPS with sub-meter accuracy running ESRI's ArcPad 10. After the field data were post-processed, the wetland scientists who captured the field data conducted a quality control review of the geodatabase to ensure the features collected corresponded with field observations.

Stream and pond features were mapped along their ordinary high water mark (OHWM) as defined by the USACE. Once the OHWM was observed in the field by the team, the GPS unit was used to map this line where it would be crossed by planned elements of the Project infrastructure. For streams, observations of basin and channel features, flow characteristics, substrate, and the presence of aquatic vegetation and macroinvertebrates were documented using stream data forms that are on record at the Tetra Tech office in Golden, Colorado.

RESULTS AND CONCLUSIONS

The wetlands and other WoUS survey for the addendum survey corridor was conducted in August 2016. Tetra Tech identified one feature during this survey resulting from impacts from a collector line.

This feature was identified as a likely jurisdictional wetland and may meet the definition of a jurisdictional WoUS in accordance with USACE and Environmental Protection Agency guidance (USACE 2007; USACE and EPA 2007).

Table 1 below summarizes the findings of the wetlands and other WoUS survey for the addendum survey corridor with the location of the wetland feature (BR2-WT-R2) within the survey corridor provided on Figure 1 (Attachment 1).

Table 1. Delineated Wetlands and Other WoUS

Feature ID	Feature Type ¹	Recommended USACE Jurisdictional Status ²	Facility Type Impacting	Potential Area of Impact (acre)		Comments
				Permanent	Temporary	
Wetlands						
BR2-WT-R2	PEM	Yes	Collection Line	0	0.05	Wetland is an extension of BR2-WT-1M. Wetland to be open trenched. Construction will minimize the disturbance footprint to the extent practicable and follow BMPs.

1 PEM = Palustrine emergent wetland;

2 Note that only the USACE can render an approved Jurisdictional Determination. The likely jurisdictional status listed in this table reflects Tetra Tech's understanding of jurisdictional WoUS.

There would be no new permanent impacts resulting from modifications to the Project.

Minor temporary impacts are calculated to be 0.05 acre. Including the impacts from the original wetland report, the Project may result in up to 0.127 acre of permanent impacts and 1.107 acres of temporary impacts to 8 wetlands and other WoUS features, all of which may be considered to be jurisdictional by the USACE.

Permanent impacts that exceed 0.1 acre to each single and complete project require a PCN to the USACE under Nationwide Permit (NWP) #12 for utility line activities and #14 for linear transportation activities. For projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Temporary impacts are not generally considered to contribute to the impact total that would trigger a PCN. Therefore, it appears that no PCN would be required, so long as the Project complies with the General and Regional conditions of the NWP #12 and #14.

The USACE emphasizes the following measures to minimize impacts to wetlands or other WoUS:

- Use of mats or other measures to minimize soil disturbance in jurisdictional areas.
- Ensure no fills remain in the jurisdictional areas.
- Return any affected jurisdictional areas to pre-construction contours and revegetate the affected areas.

Tetra Tech also recommends Brady II Wind follow best management practices (BMPs) included in the *Brady II Wind Energy Center Hettinger and Stark Counties, North Dakota Wetlands and other Waters of the United States Delineation Report*, May 2016, during construction of the Project to further avoid and minimize impacts to wetlands and other WoUS. The following bullet points summarize some of the BMPs included in the report that are specific to wetlands and other WoUS:

- *BMP-6: Avoid and/or minimize impacting drainage features such as ditches, culverts, levees, tiles, terraces.*
- *BMP-13: Identify, avoid, and/or minimize adverse impacts to wetlands and waterbodies, including placing structure foundations below the OHWM of WoUS.*
- *BMP-16: Access road construction should minimize impacting streams.*
- *BMP-22: All permanent or temporary crossings of waterbodies should be designed to maintain low flows for aquatic species movement and designed to function during high flows.*
- *BMP-25: Work within WoUS should occur during periods of low flow or no flow.*

REFERENCES

Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1. Vicksburg, MS: U.S. Army Engineer Waterways Experiment Station. Available online at <http://el.erdc.usace.army.mil/wetlands/pdfs/wlman87.pdf>.

U.S. Army Corps of Engineers (USACE). 2010. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region. ERDC/EL TR-10-1, U.S. Army Engineer Research and Development Center, Vicksburg, MS.

USACE. 2007. RGL 07-01 "Practices for Documenting Jurisdiction under Section 9 & 10 of the Rivers & Harbors Act (RHA) of 1899 and Section 404 of the Clean Water Act (CWA)." June 5. Available online at <http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl07-01.pdf>.

U.S. Army Corps of Engineers (USACE) and U.S. Environmental Protection Agency (EPA). 2007. USACE Jurisdictional Determination Form Instructional Guidebook. May 12.

ATTACHMENTS

Attachment 1 Figure 1: Temporary Wetland Impact Area



P:\BR2_PROJECTS\AsstE\Brady\Brady_1011\From_Bradys\Map\BR2-WT-R2\Wetlands_Map\BR2-WT-R2_Absolutes_Absolutes_20161111.mxd