

Memorandum

TO: North Dakota Public Service Commission

FROM: Burke Wind, LLC

DATE: February 1, 2019

**RE: Burke County Wind Energy Center, Burke County, North Dakota
Docket Number PU-18-344
Addendum to the Amended Application for Certificate of Site Compatibility**

Burke Wind, LLC (Burke Wind), a wholly owned, indirect subsidiary of NextEra Energy Resources, LLC, submitted an application for a Certificate of Site Compatibility to construct the Burke County Wind Energy Center (the Project) in September 2018. An amended application for a Certificate of Site Compatibility (Amended Application) was submitted in November 2018 to reflect a reduction in the Project to 200 megawatts (MW). Since the Amended Application submittal, Burke Wind has refined the design and layout of the Project in response to requests from landowners and based on additional engineering. As a result, there have been minor changes to the Project site plan, described in this addendum, including changes to the collection line location and elimination of two junction boxes, changes to the collection line corridor width, and minor changes to access roads and crane paths. Although the refinement of the Project design resulted in minor overall changes to Project impacts, this Addendum is submitted to provide the Commission with the most current assessment of Project impacts.

The primary change in the design since the Amended Application submittal is that the collection line corridor has increased in width from 50 to 150 ft. Burke Wind determined that a wider corridor in which to place the collection line was needed to allow for increased flexibility during construction. While it is anticipated that the temporary collection line construction easement and associated temporary disturbance needed for placement of the collection line remains at 50 ft in width, a wider, variable-width corridor is included in the current Project site plan to accommodate local terrain and landscape features that may necessitate slight collection line micro-siting placement modifications during construction. Placement of the collection line may need to be moved from the current centerline to other portions of the 150-ft-corridor during construction if for example unanticipated obstacles such as large boulders, agricultural drains, or other features necessitate slight modifications in collection line placement. While the collection line corridor width varies, it is typically and no greater than 150 ft wide.

PROJECT IMPACTS

Based on the design refinements, Project impacts were reassessed. Although minor, impacts and differences from those specified in the Amended Application are discussed in more detail below. Impacts that remain the same as the Amended Application are not discussed herein.

- Changes to the Project site plan resulted in a decrease in overall total Project impacts. Total Project temporary construction disturbance impacts decreased by 87.8 acres from 1,306.6 acres to a total of 1,272.8 acres. The total Project construction disturbance to be reclaimed decreased by 65.7 acres, from 1,294.8 to a total of 1,229.1 acres.
- The total Project permanent disturbance decreased by 0.2 acres, bringing the total Project permanent disturbance to 65.7 acres.
- The 150-foot-wide collection line corridor, within which the 50-foot construction easement will be placed, occupies 1,122.1 acres. While the additional 150-foot-wide collection corridor encompasses an area of 1,122.1 acres, the total disturbance areas width within this corridor is not expected to exceed 50 feet.
- The collection line and the 50-foot-wide temporary construction easement around the collection line are now estimated to temporarily disturb 367.4 acres, which is a reduction of 81.5 acres. Likewise, construction disturbance to be reclaimed for the collection line construction easement also decreased to 367.4 acres.
- Total permanent collection line impacts were reduced from 0.1 acres to 0.05 acres. This decrease is a result of design changes in the collection line system that allowed for the elimination of two junction boxes, resulting in a total of 20 junction boxes.
- Changes in the crane path increased the crane path temporary construction disturbance by 0.2 acres, bringing the total crane path temporary disturbance and associated reclamation, to 15.2 acres. Crane path permanent impacts remain at 0.0 acres.
- Minor changes in access road locations resulted in an increase of 1.4 acres of temporary disturbance, bringing the total access road temporary disturbance to 737.5 acres. The 1.4 acre increase brings the total access road reclamation to 679.9 acres. Permanent disturbance from access roads increased negligibly by 0.2 acres, bringing the permanent disturbance from access roads to 57.6 acres.

EXCLUSION AND AVOIDANCE AREAS

All areas reflected on the refined Project site plan, including the 150-foot-wide collection corridor, were reviewed in relation to Exclusion and Avoidance Areas as defined in North Dakota Administrative Code § 69-06-08-01. The following Exclusion and Avoidance areas were previously identified within the Project area: (1) prime and unique farmland; (2) archaeological sites; (3)

historical resources that are not designated as exclusion areas; and (4) Woodlands and Wetlands. Impacts to these Exclusion and Avoidance areas were evaluated in relation to the refined Project site plan. Impacts to archaeological sites, historical resources that are not designated as exclusion areas, and woodlands and wetlands remain unchanged from the Amended Application. Impacts to Prime Farmland and Unique Farmland are summarized below.

Prime Farmland and Unique Farmland

Prime farmland is not present within the Project area, but approximately 3,225.3 acres of farmland of statewide importance are within the Project area. Farmland of statewide importance is located within the proposed permanent and temporary disturbance areas. The change in permanent impacts to farmland of statewide importance is negligible (a decrease of less than 0.1 acres), with current total permanent impacts estimated at 12.4 acres (compared to 12.5 acres in the Amended Application). While the Project design, including the additional 150-foot-wide collection corridor, encompasses an area of 320.8 acres of farmland of statewide importance, it is anticipated that use of the 50-foot-wide construction easement surrounding the collection line would result in 240.0 acres of temporary disturbance (a decrease of 18.3 acres). Mitigative measures presented in the Amended Application will continue to be utilized.

OTHER IMPACTS

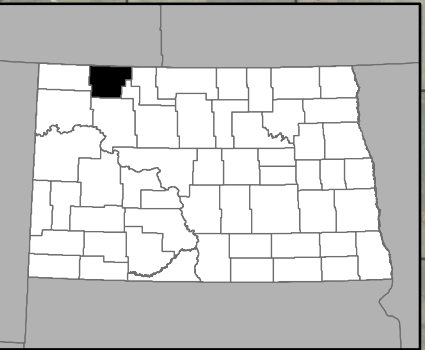
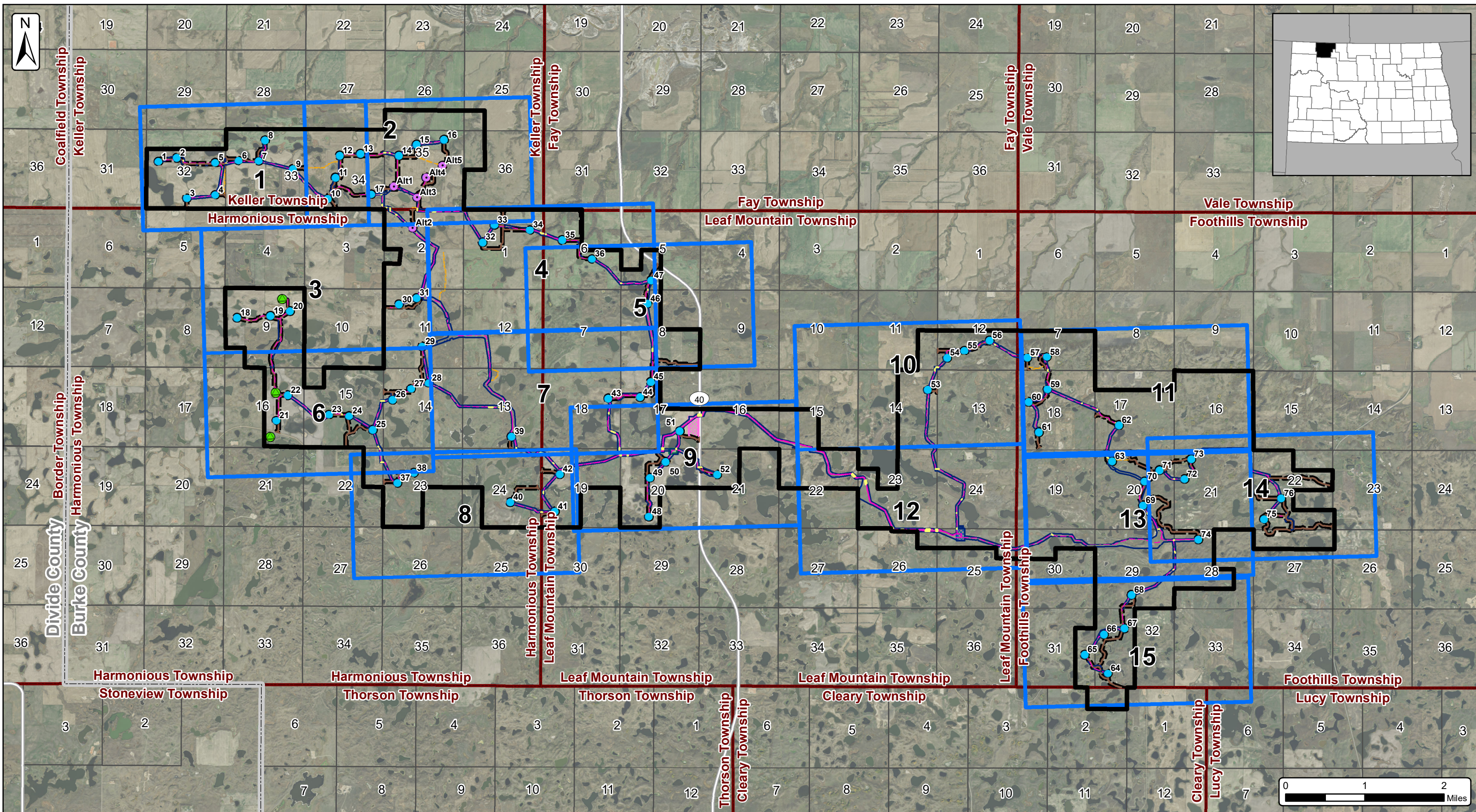
Resources and environmental conditions summarized in Section 7.0 (Environmental Analysis) of the Amended Application were reviewed for potential impacts based on the refined Project site plan. Design modifications resulted in negligible changes to the resource impact calculations presented in the Amended Application.

Negligible changes consist of: (1) cropland permanent impacts, which decreased by 0.3 acres from 33.6 to 33.3 acres; (2) pastureland permanent impacts, which decreased by 0.1 acres from 8.0 to 7.9 acres; (3) combined cropland and pastureland permanent impacts, which decreased by 0.4 acres from 41.6 to 41.2 acres; and, (4) native prairie permanent impacts, which decreased by 0.01 acres from 3.0 to 2.99 acres.

The Amended Application encompassed 0.05 acres of Dakota skipper habitat. The current Project design encompasses 0.9 acres of Dakota skipper habitat. However, all Dakota skipper habitat will be avoided during construction by boring beneath it and/or fencing it off so that construction activities do not occur within the habitat areas. Thus, no temporary or permanent impacts to Dakota skipper habitat are anticipated. Dakota skipper habitat surveys were completed for all potential disturbance areas. Burke Wind will continue to practice an impact-avoidance strategy and utilize mitigative measures for Dakota skipper habitat, as described in the Amended Application.

ATTACHMENT

Site Plan Mapbook
Summary of Agency Responses




Burke County Wind Energy Center
Site Plan Map
 Burke County, North Dakota
 Date: 2/1/2019

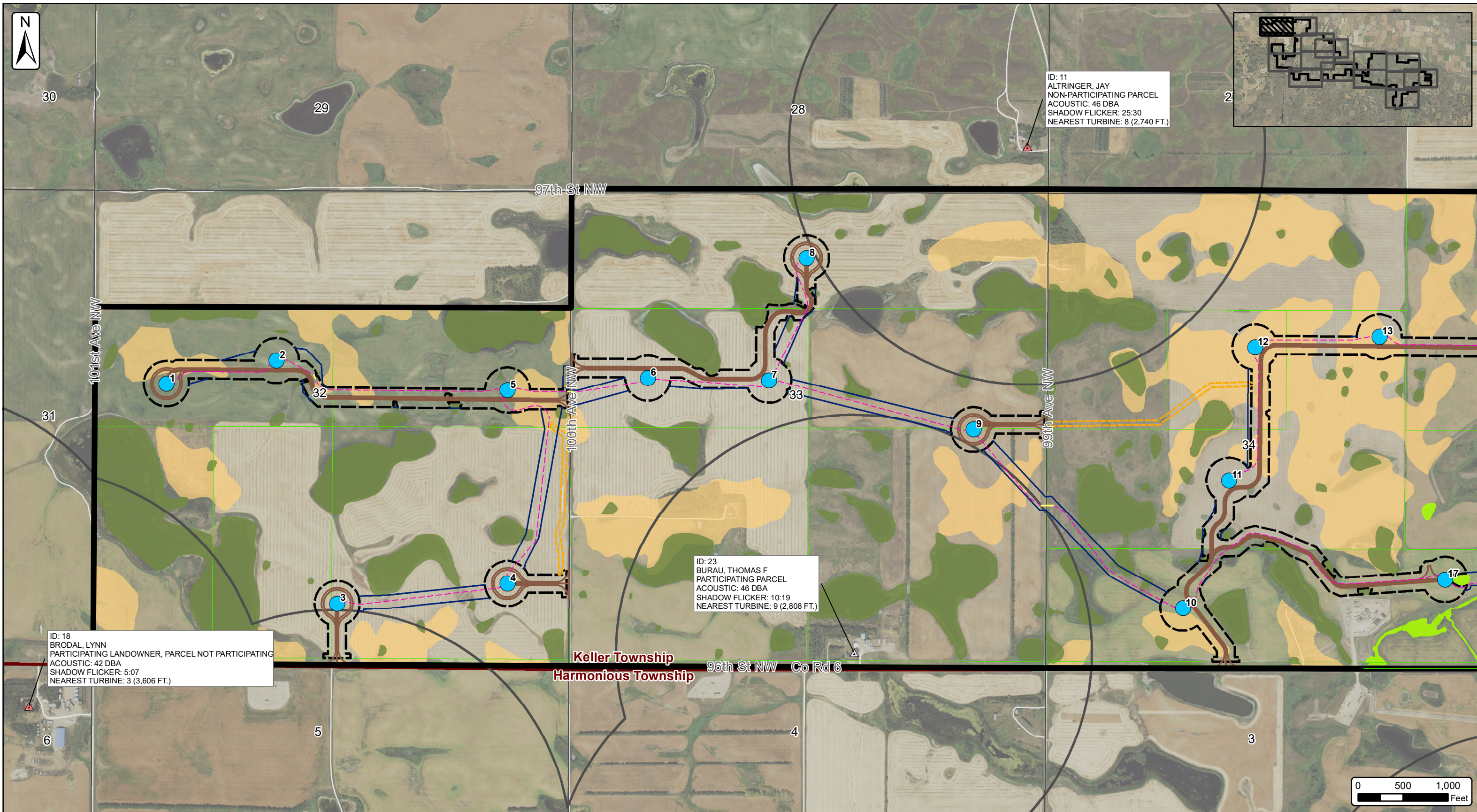
Client:
Burke Wind, LLC
Atwell, LLC Project:16000947

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> ● Turbine (10/08/2018) ● Alt Turbine (10/08/2018) ● MET Tower (10/26/2018) — Access Road (01/02/2018) — Collection Line (12/17/2018) — Collection Line Bore (12/17/2018) — Collection Corridor (12/17/2018) | <ul style="list-style-type: none"> — Construction Easement (12/19/2018) — Crane Path (11/16/2018) — Batch Plant Area (11/01/2018) — Laydown Yard (05/30/2018) — O&M & Substation (06/06/2018) — Project Area 10/23/2018 (±22,933 Ac.) | <ul style="list-style-type: none"> □ Sections (PLSS) □ Townships (MCD) □ Counties □ Mapbook Pages |
|---|---|---|

SOURCE: USDA NAIP 2017 IMAGERY



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ID: 18
 BRODAL, LYNN
 PARTICIPATING LANDOWNER, PARCEL NOT PARTICIPATING
 ACOUSTIC: 42 DBA
 SHADOW FLICKER: 5:07
 NEAREST TURBINE: 3 (3,606 FT.)

ID: 11
 ALTRINGER, JAY
 NON-PARTICIPATING PARCEL
 ACOUSTIC: 46 DBA
 SHADOW FLICKER: 25:30
 NEAREST TURBINE: 8 (2,740 FT.)

ID: 23
 BURAU, THOMAS F
 PARTICIPATING PARCEL
 ACOUSTIC: 46 DBA
 SHADOW FLICKER: 10:19
 NEAREST TURBINE: 9 (2,808 FT.)

Burke County Wind Energy Center

Site Plan Map - Page 1 of 15
 Burke County, North Dakota
 Date: 2/4/2019

Client:
Burke Wind, LLC
 Atwell, LLC Project:16000947

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- Exclusion Areas**
- Archaeological Sites Not Shown Due to Confidentiality
 - Famland Soils (SSURGO)
 - Percent of Project Area
 - Famland of Statewide Importance (14.06%)

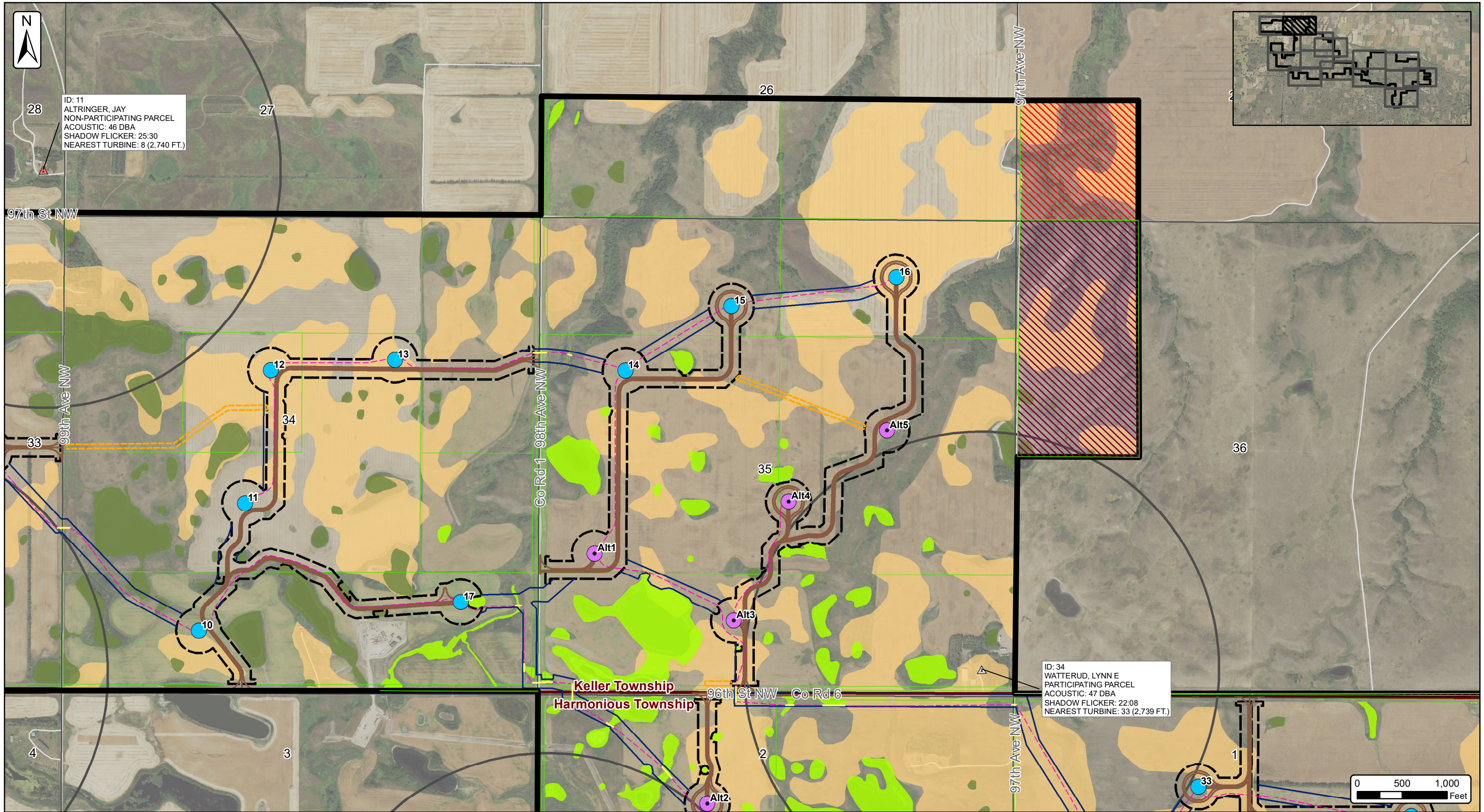
- Project Participation**
- Participating Occupied Receptor
 - Not Participating Occupied Receptor
 - Occupied Receptor Setback 0.5 Mi Buffer
 - Participating Parcel
 - Non-Participating Parcel
 - Participating Landowner, Non-Participating Parcel

- Data**
- Isolated Wetlands
 - Jurisdictional Wetlands
 - Sections (PLSS)
 - Townships (MCD)
 - Counties



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Burke County Wind Energy Center
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 Burke County, North Dakota
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 - Percent of Project Area
 - Farmland of Statewide Importance (14.06%)

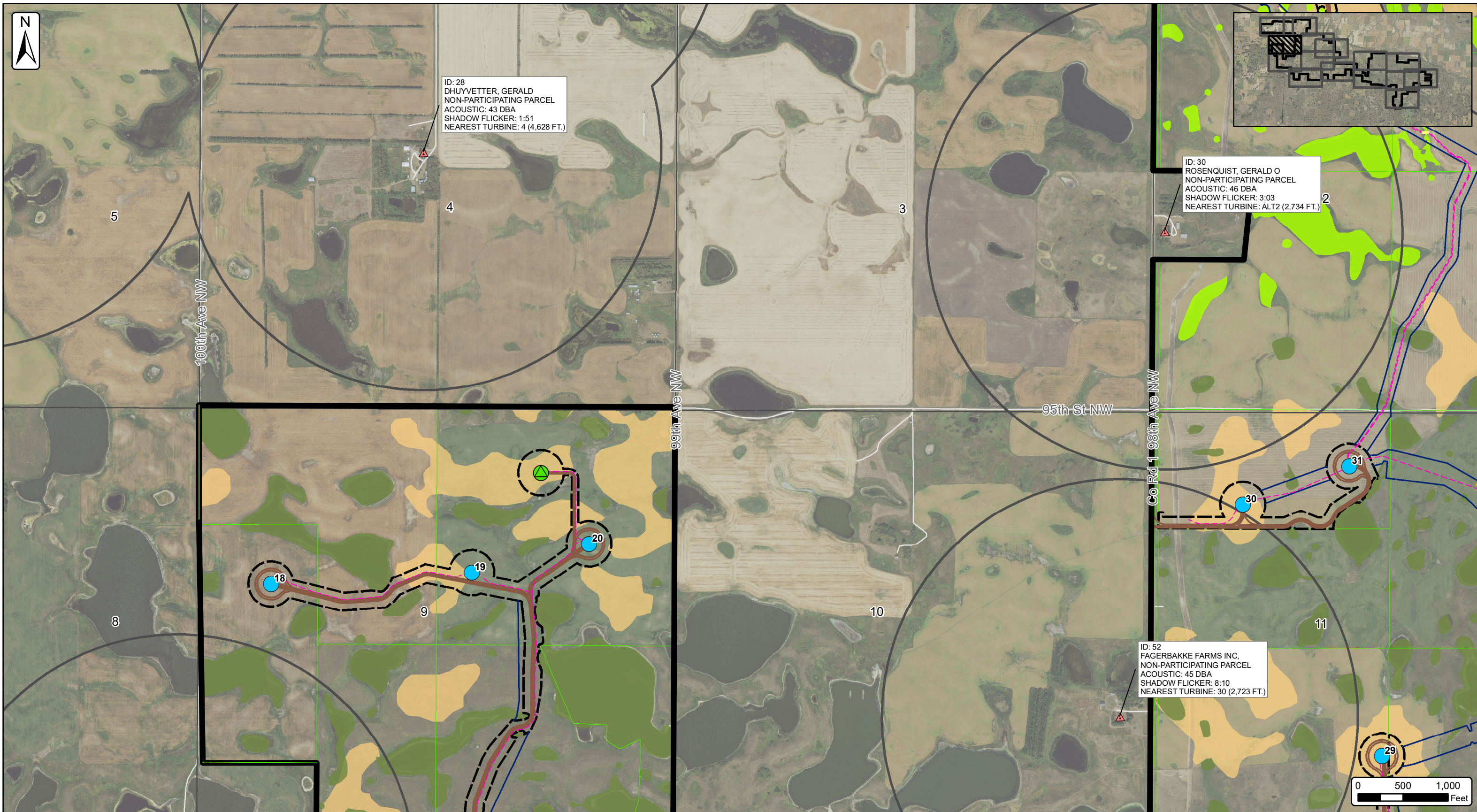
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ATWELL

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ID: 28
 DHUYVETTER, GERALD
 NON-PARTICIPATING PARCEL
 ACOUSTIC: 43 DBA
 SHADOW FLICKER: 1:51
 NEAREST TURBINE: 4 (4,628 FT.)

ID: 30
 ROSENQUIST, GERALD O
 NON-PARTICIPATING PARCEL
 ACOUSTIC: 46 DBA
 SHADOW FLICKER: 3:03
 NEAREST TURBINE: ALT2 (2,734 FT.)

ID: 52
 FAGERBAKKE FARMS INC,
 NON-PARTICIPATING PARCEL
 ACOUSTIC: 45 DBA
 SHADOW FLICKER: 8:10
 NEAREST TURBINE: 30 (2,723 FT.)

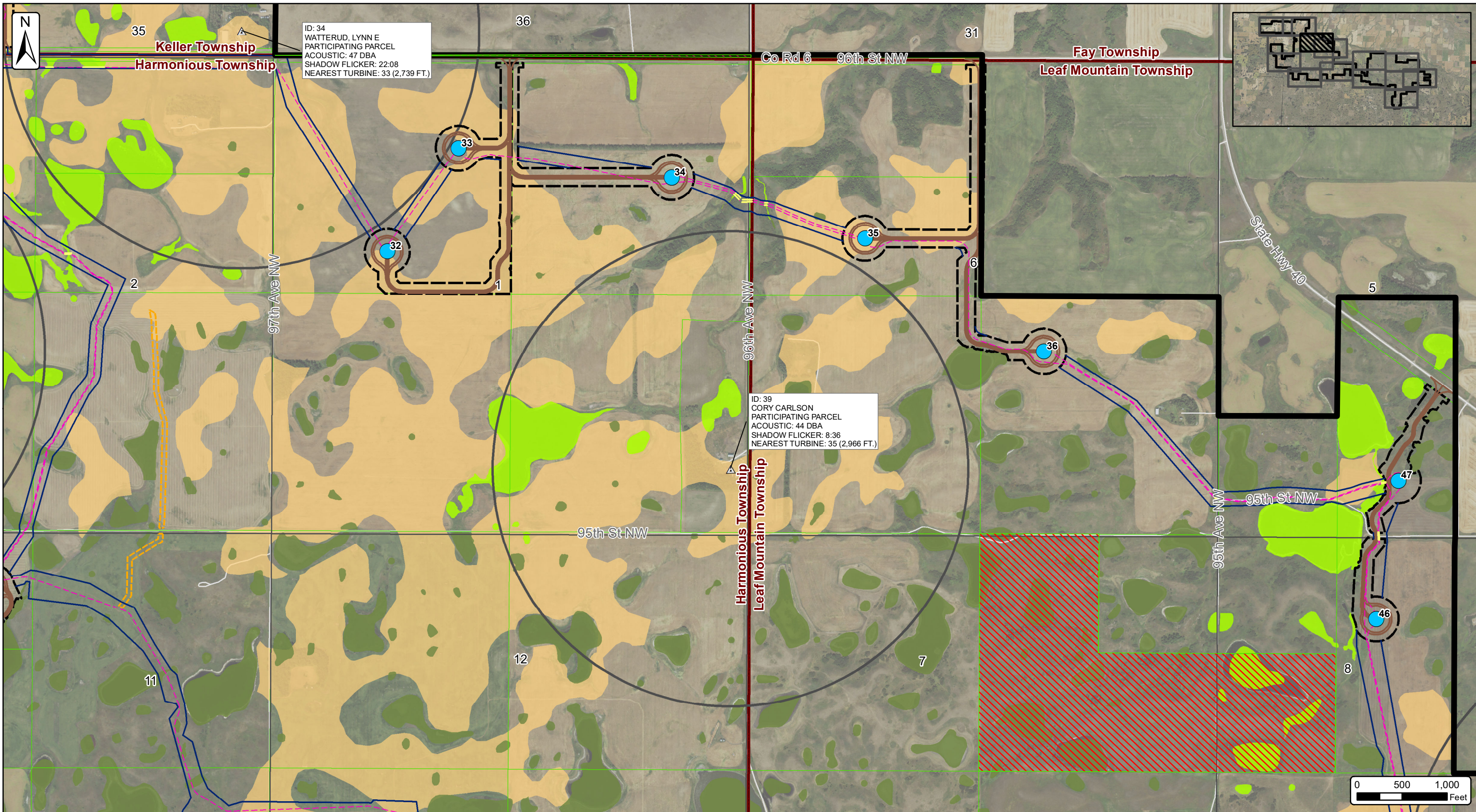
Burke County Wind Energy Center
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 Burke County, North Dakota
 Date: 2/4/2019

Client:
Burke Wind, LLC
 Atwell, LLC Project:16000947

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SOURCE: USDA NAIP 2017





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 Burke County, North Dakota
 Date: 2/4/2019

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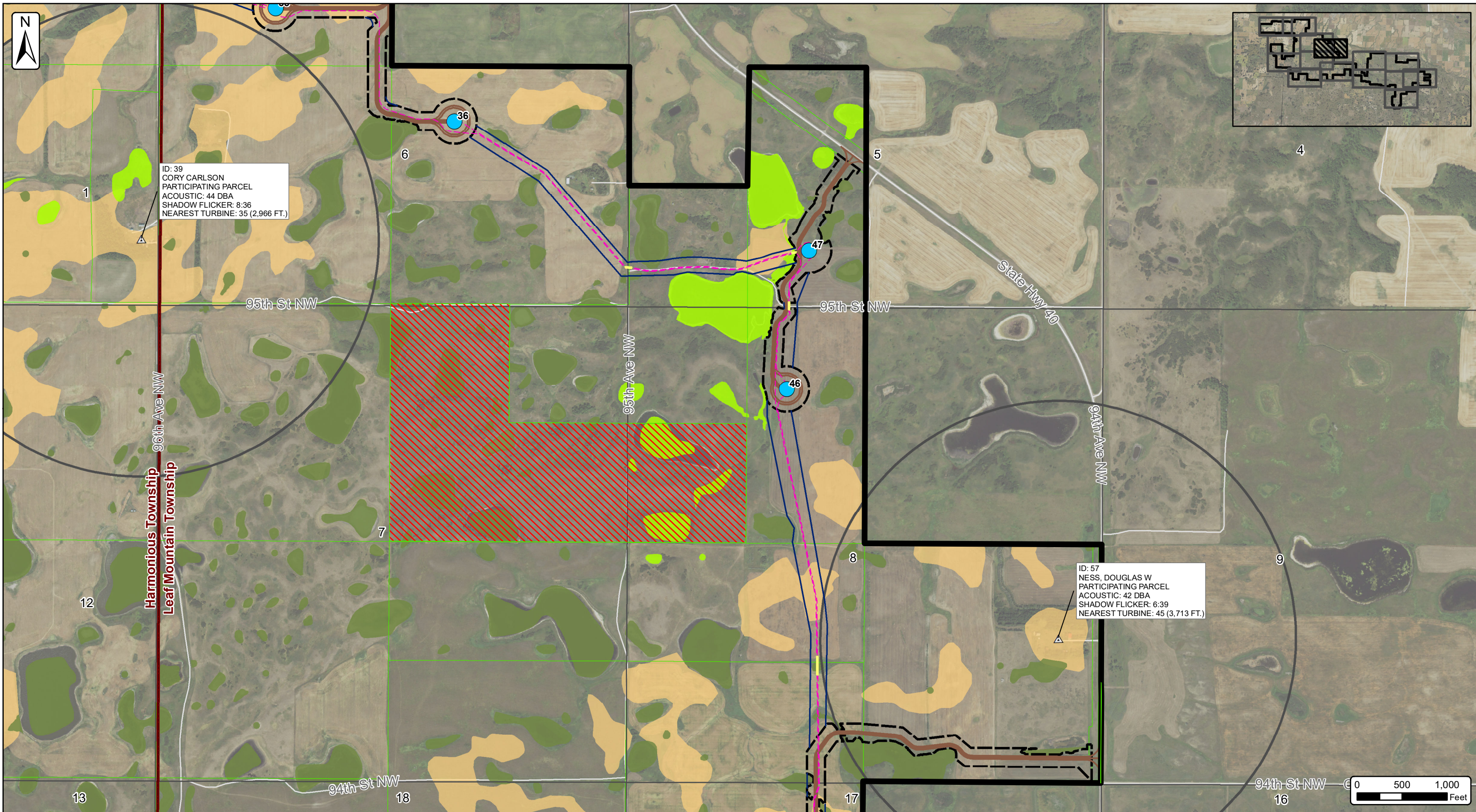
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ID: 39
 CORY CARLSON
 PARTICIPATING PARCEL
 ACOUSTIC: 44 DBA
 SHADOW FLICKER: 8:36
 NEAREST TURBINE: 35 (2,966 FT.)

ID: 57
 NESS, DOUGLAS W
 PARTICIPATING PARCEL
 ACOUSTIC: 42 DBA
 SHADOW FLICKER: 6:39
 NEAREST TURBINE: 45 (3,713 FT.)

Burke County Wind Energy Center
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 Burke County, North Dakota
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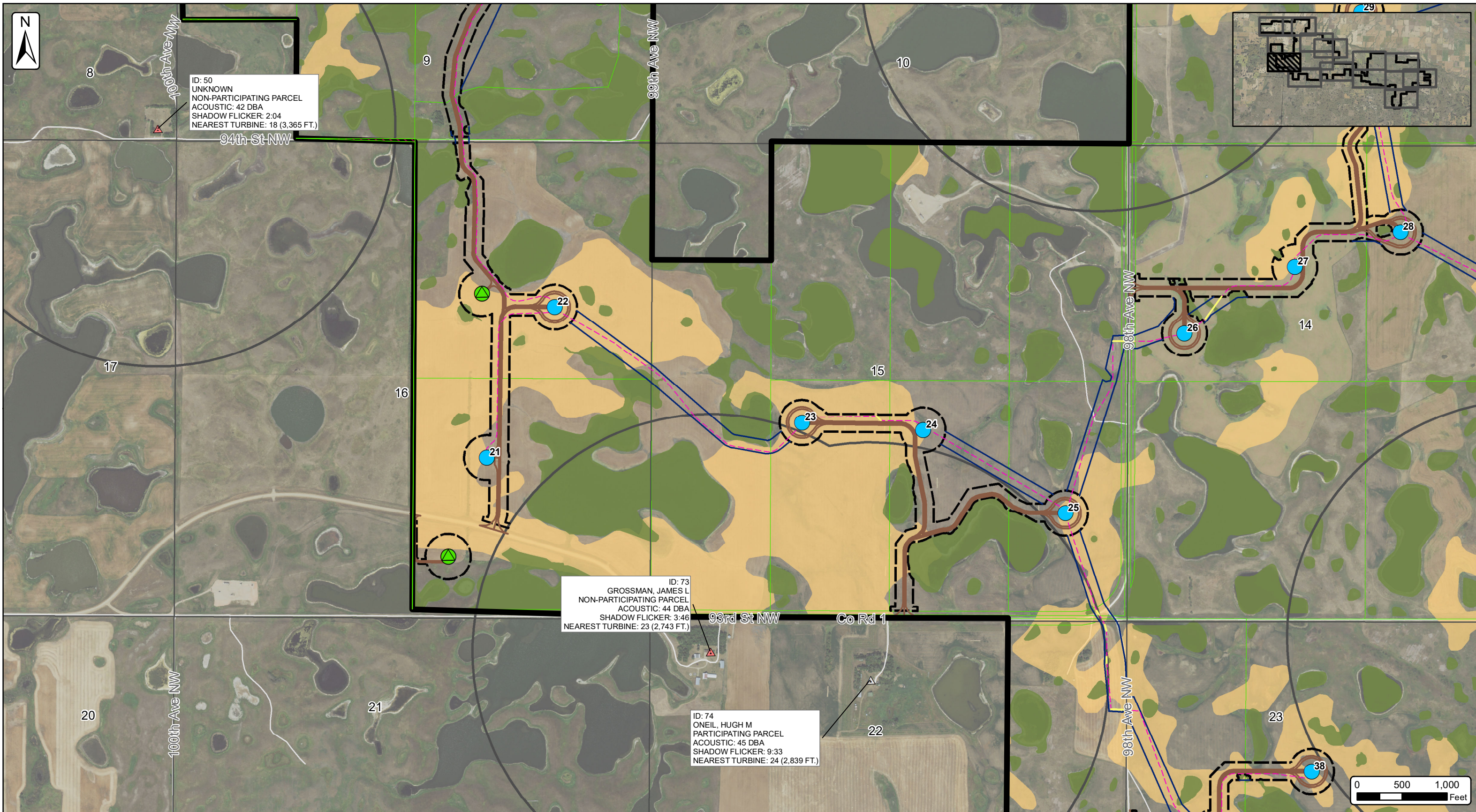
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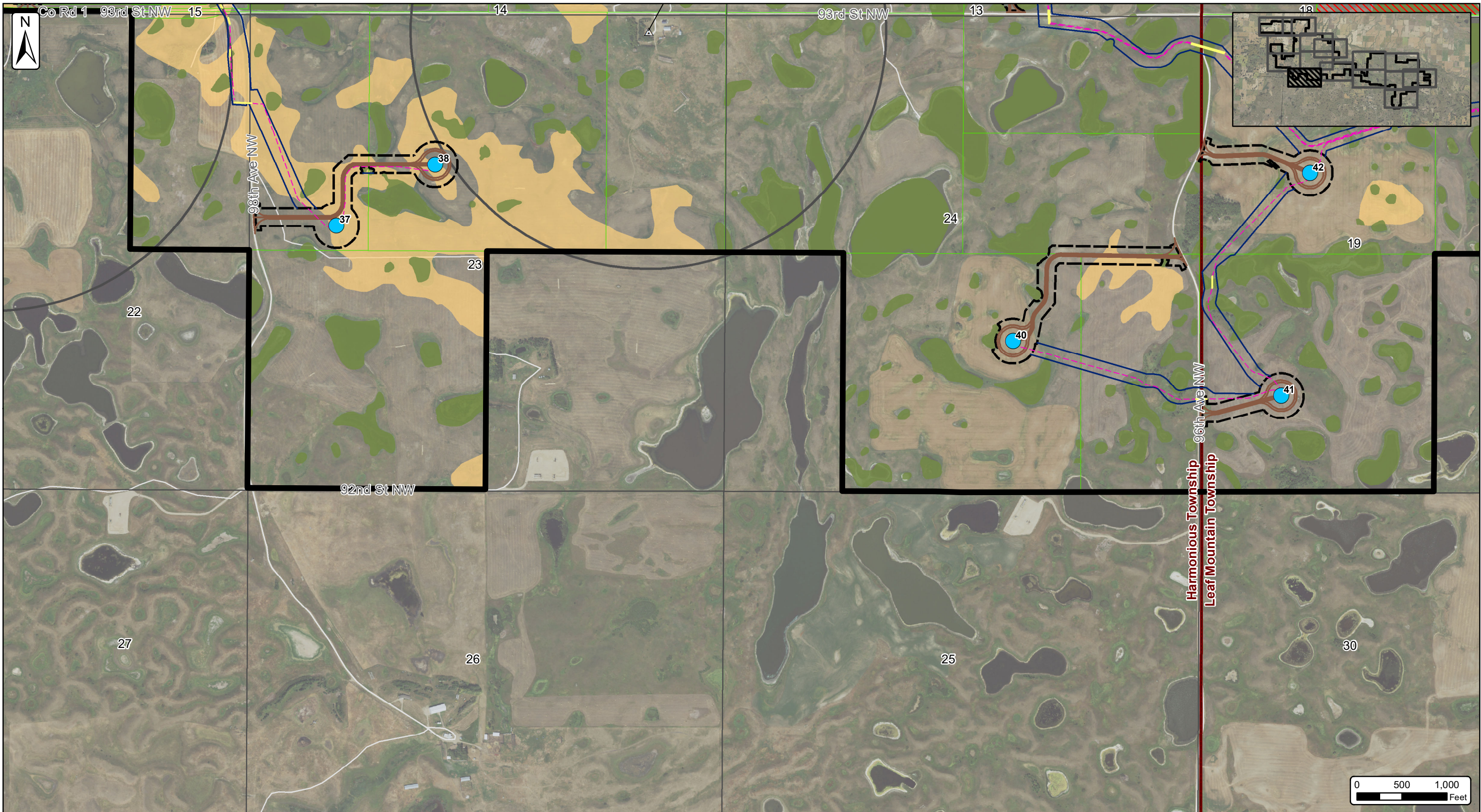
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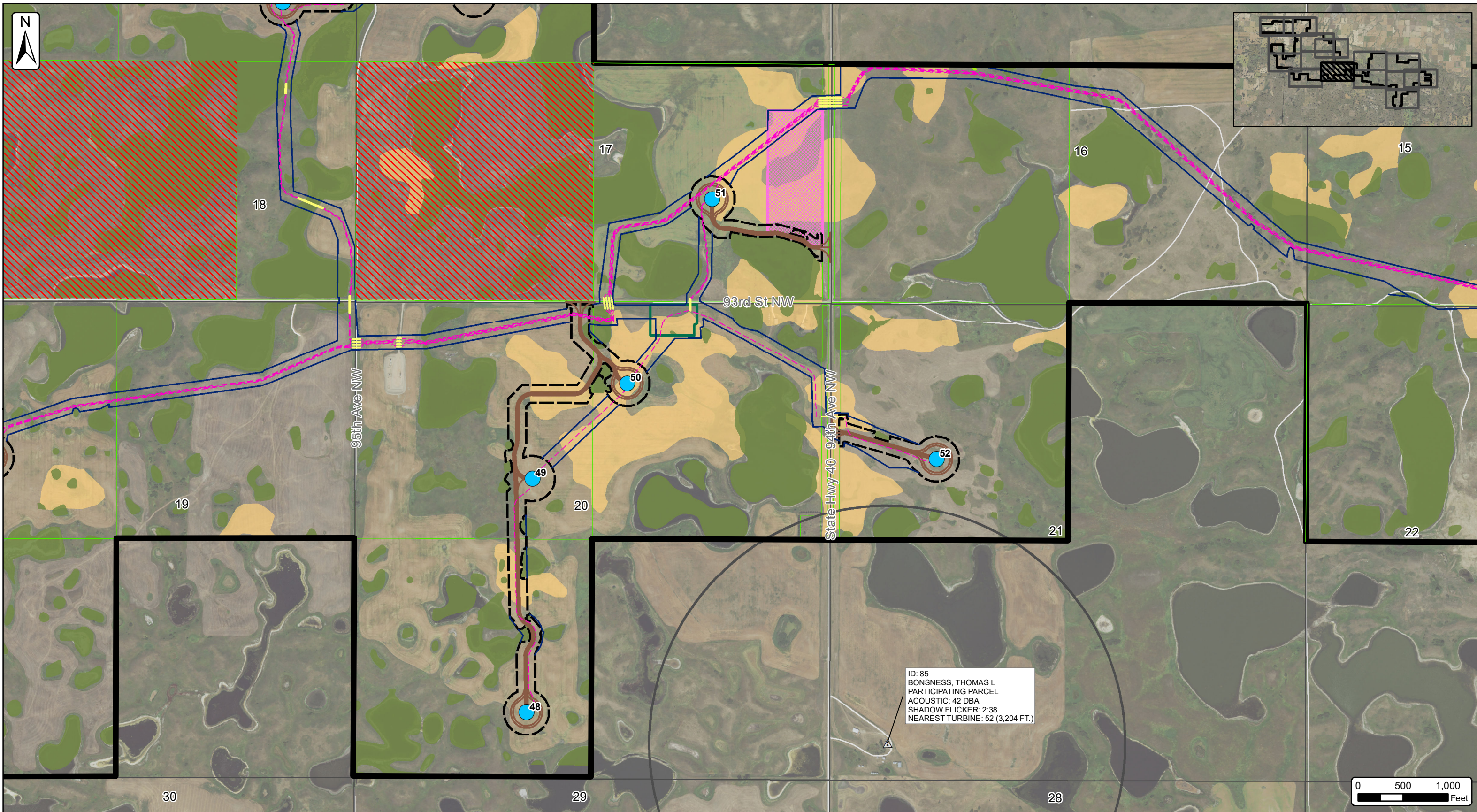
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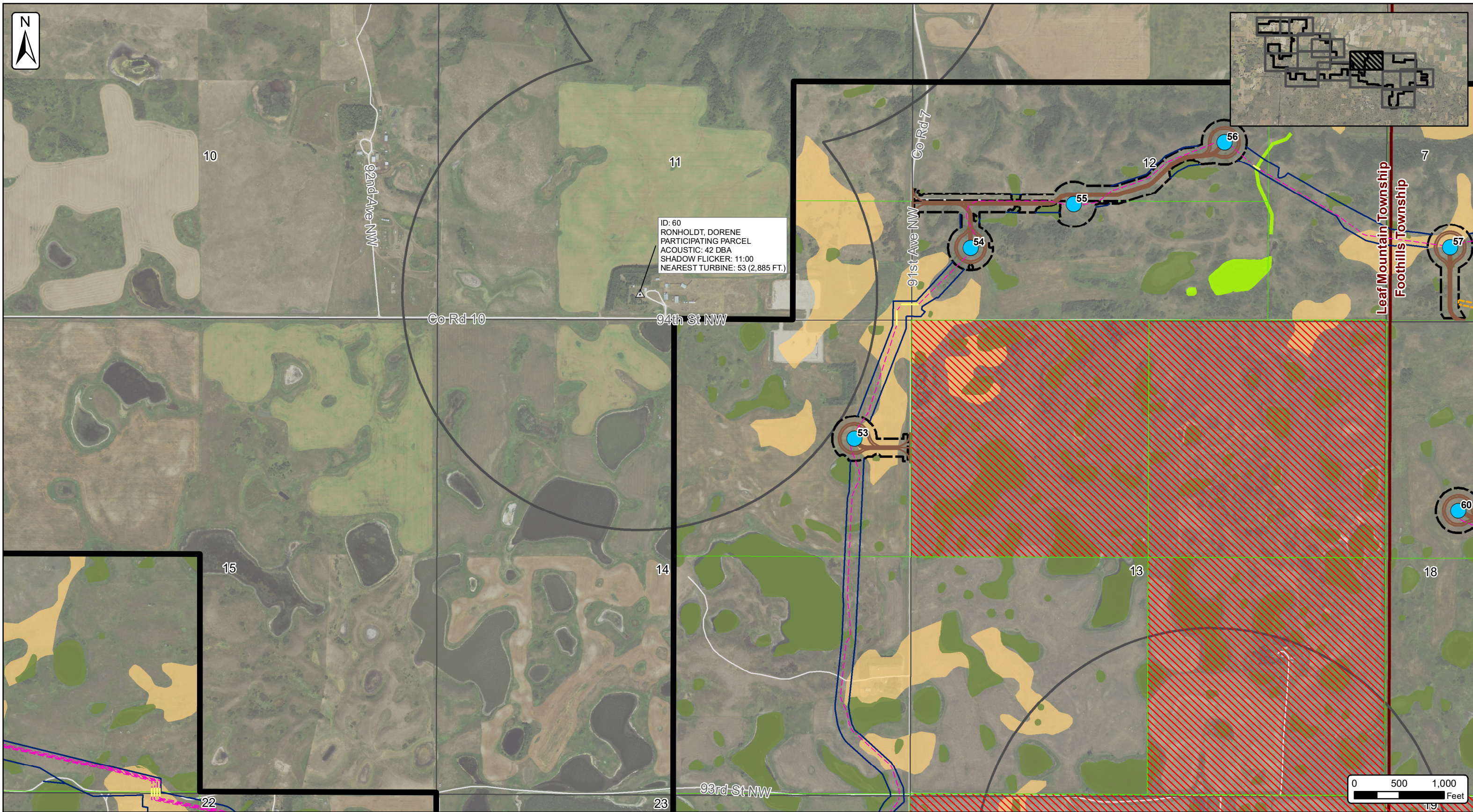
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ID: 60
 RONHOLDT, DORENE
 PARTICIPATING PARCEL
 ACOUSTIC: 42 DBA
 SHADOW FLICKER: 11:00
 NEAREST TURBINE: 53 (2,885 FT.)

Burke County Wind Energy Center
 Site Plan Map - Page 10 of 15
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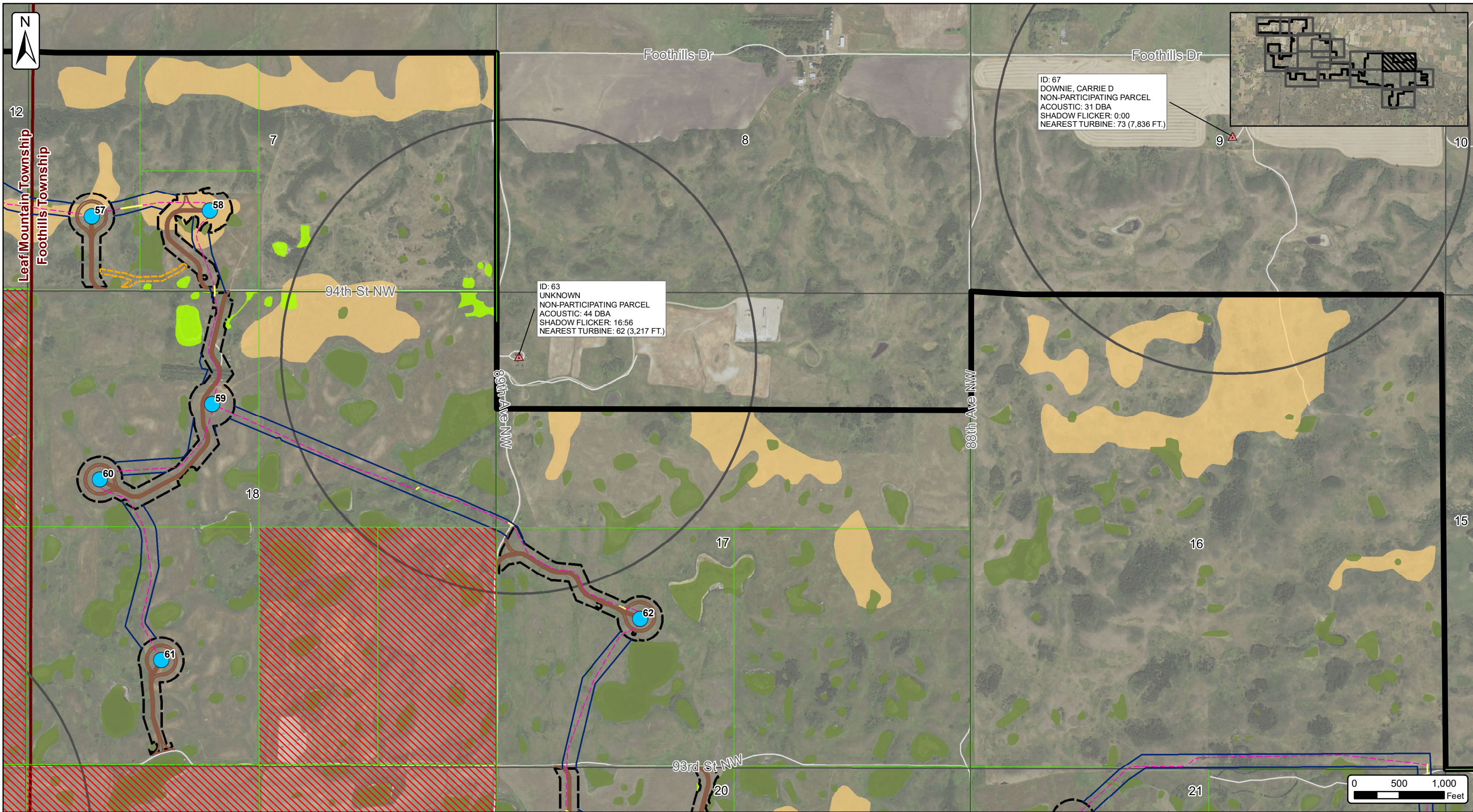
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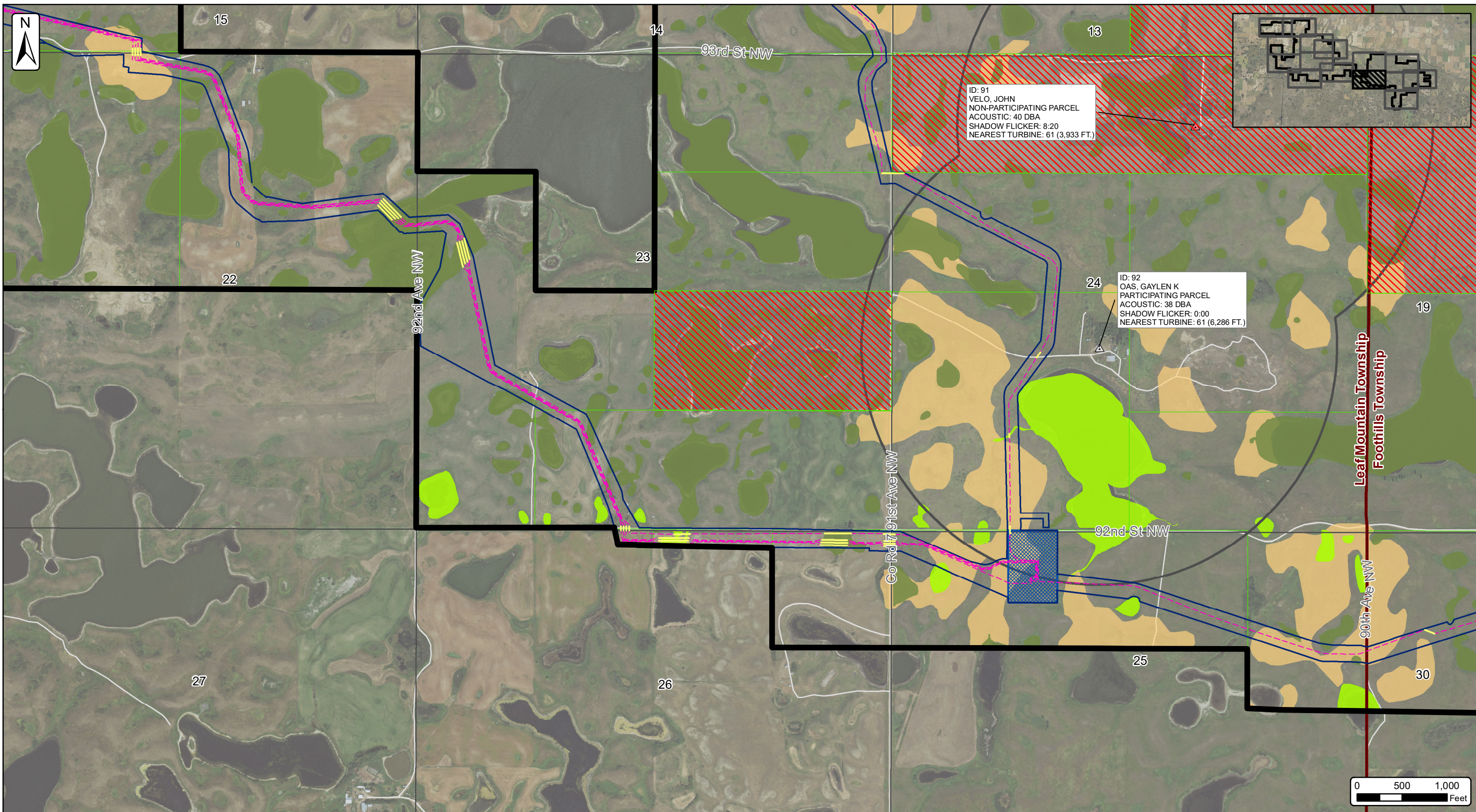
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 - Counties



ATWELL

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SOURCE: USDA NAIP 2017



ID: 91
 VELO, JOHN
 NON-PARTICIPATING PARCEL
 ACOUSTIC: 40 DBA
 SHADOW FLICKER: 8:20
 NEAREST TURBINE: 61 (3,933 FT.)

ID: 92
 OAS, GAYLEN K
 PARTICIPATING PARCEL
 ACOUSTIC: 38 DBA
 SHADOW FLICKER: 0:00
 NEAREST TURBINE: 61 (6,286 FT.)

Burke County Wind Energy Center
 Site Plan Map - Page 12 of 15
 Burke County, North Dakota
 Date: 2/4/2019

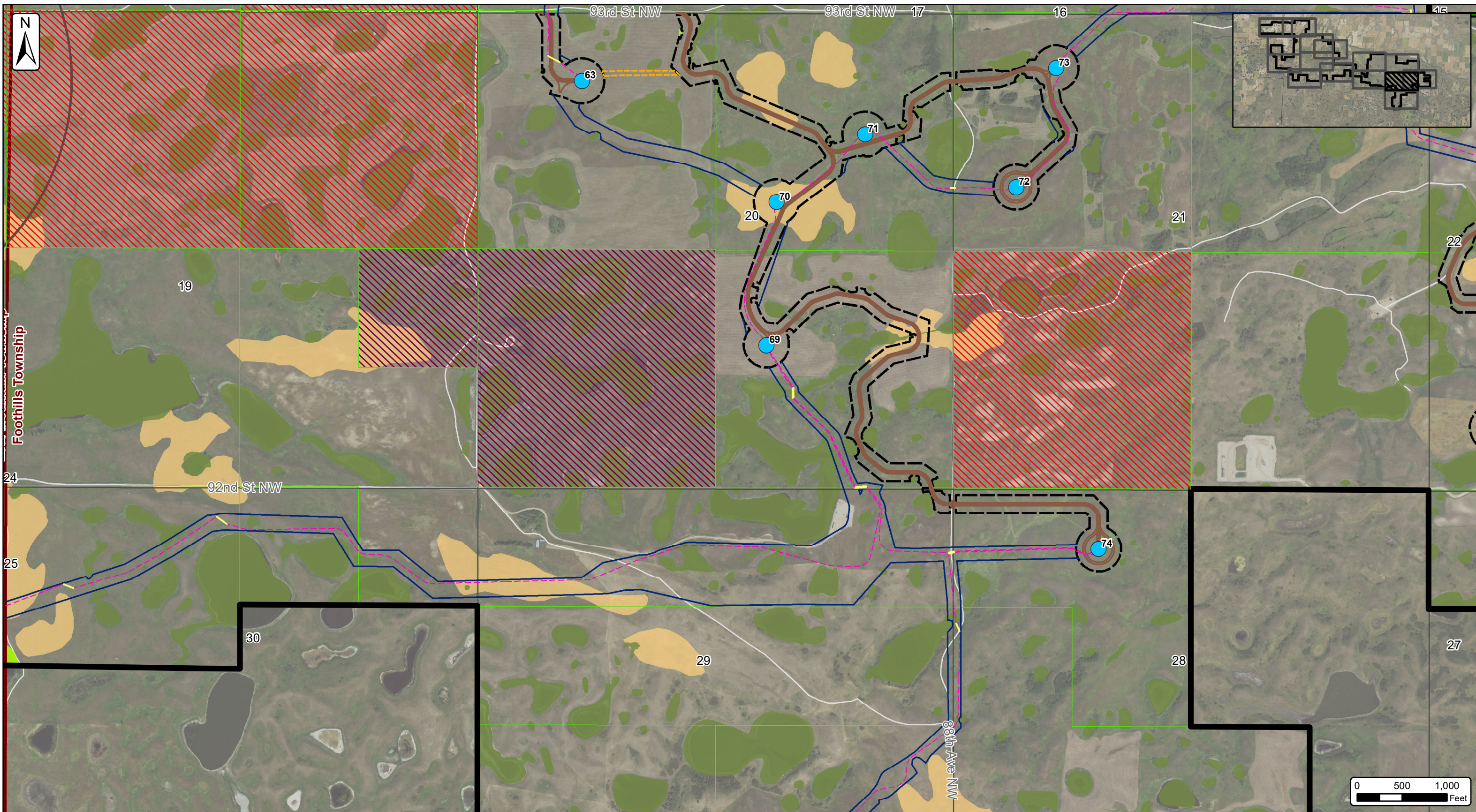
Client:
Burke Wind, LLC
 Atwell, LLC Project:16000947

<p>Project Site Plan</p> <ul style="list-style-type: none"> ● Turbine (10/08/2018) ● Alt Turbine (10/08/2018) ● MET Tower (10/26/2018) — Access Road (01/02/2018) - - - Collection Line (12/17/2018) - - - Collection Line Bore (12/17/2018) — Collection Corridor (12/17/2018) — Construction Easement (12/19/2018) - - - Crane Path (11/16/2018) Batch Plant Area (11/01/2018) Laydown Yard (05/30/2018) O&M & Substation (06/06/2018) Project Area 10/23/2018 (±22,933 Ac.) 	<p>Exclusion Areas</p> <ul style="list-style-type: none"> Archaeological Sites Not Shown Due to Confidentiality Farmland Soils (SSURGO) Percent of Project Area Farmland of Statewide Importance (14.06%) 	<p>Project Participation</p> <ul style="list-style-type: none"> ▲ Participating Occupied Receptor ▲ Not Participating Occupied Receptor Occupied Receptor Setback 0.5 Mi Buffer Participating Parcel Non-Participating Parcel Participating Landowner, Non-Participating Parcel 	<p>Data</p> <ul style="list-style-type: none"> ■ Isolated Wetlands ■ Jurisdictional Wetlands Sections (PLSS) Townships (MCD) Counties
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SOURCE: USDA NAIP 2017



Burke County Wind Energy Center
 Site Plan Map - Page 13 of 15
 Burke County, North Dakota
 Date: 2/4/2019


Client:
Burke Wind, LLC
 Atwell, LLC Project:16000947

- Project Site Plan**
- Turbine (10/08/2018)
 - Alt Turbine (10/08/2018)
 - MET Tower (10/26/2018)
 - Access Road (01/02/2018)
 - - - Collection Line (12/17/2018)
 - - - Collection Line Bore (12/17/2018)
 - Collection Corridor (12/17/2018)
 - - - Construction Easement (12/19/2018)
 - - - Crane Path (11/16/2018)
 - Batch Plant Area (11/01/2018)
 - Laydown Yard (05/30/2018)
 - O&M & Substation (06/06/2018)
 - Project Area 10/23/2018 (±22,933 Ac.)

- Exclusion Areas**
- Archaeological Sites Not Shown Due to Confidentiality
 - Famland Soils (SSURGO)
 - Percent of Project Area
 - Farmland of Statewide Importance (14.06%)

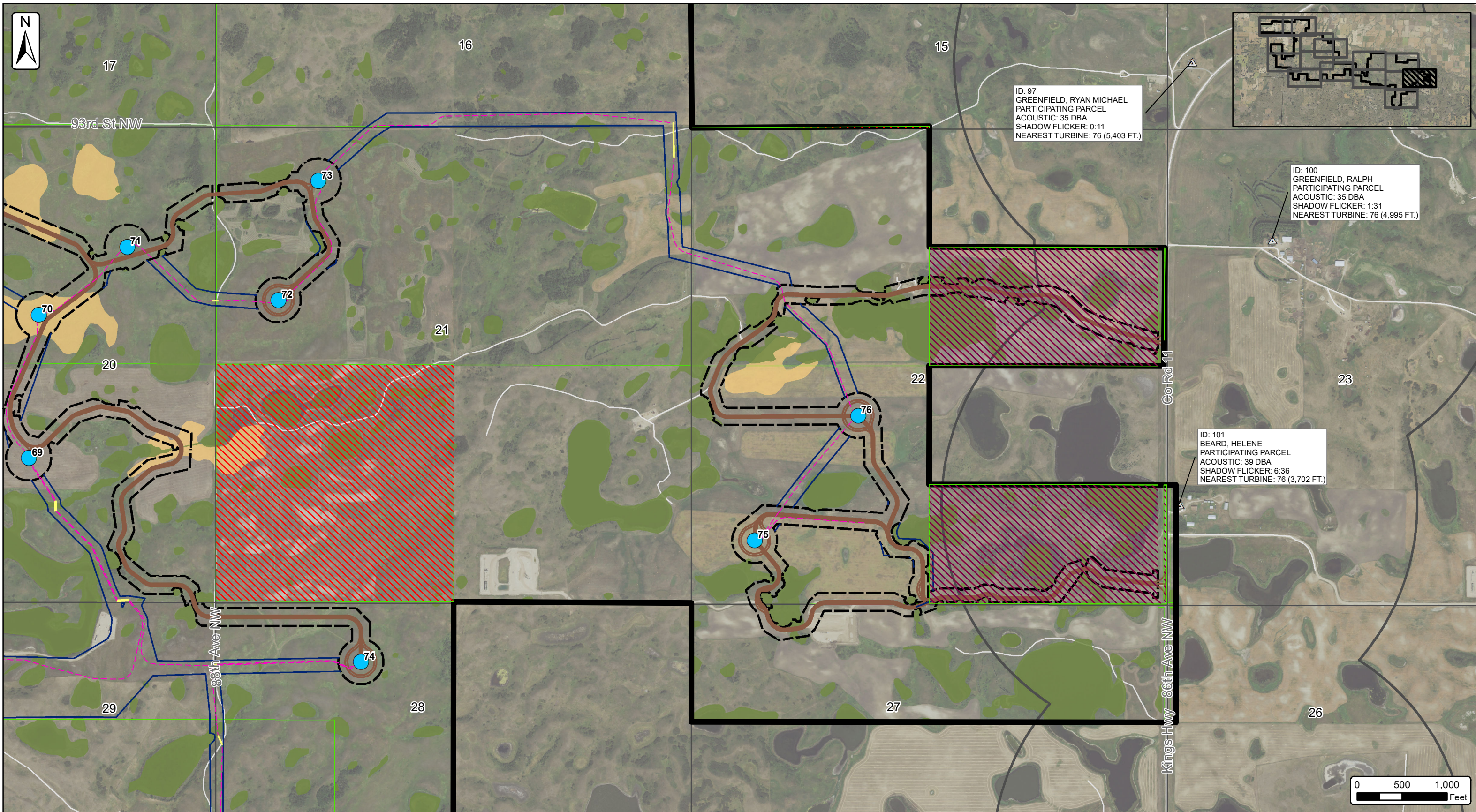
- Project Participation**
- ▲ Participating Occupied Receptor
 - ▲ Not Participating Occupied Receptor
 - Occupied Receptor Setback 0.5 Mi Buffer
 - Participating Parcel
 - Non-Participating Parcel
 - Participating Landowner, Non-Participating Parcel

- Data**
- Isolated Wetlands
 - Jurisdictional Wetlands
 - Sections (PLSS)
 - Townships (MCD)
 - Counties



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SOURCE: USDA NAIP 2017



ID: 97
 GREENFIELD, RYAN MICHAEL
 PARTICIPATING PARCEL
 ACOUSTIC: 35 DBA
 SHADOW FLICKER: 0:11
 NEAREST TURBINE: 76 (5,403 FT.)

ID: 100
 GREENFIELD, RALPH
 PARTICIPATING PARCEL
 ACOUSTIC: 35 DBA
 SHADOW FLICKER: 1:31
 NEAREST TURBINE: 76 (4,995 FT.)

ID: 101
 BEARD, HELENE
 PARTICIPATING PARCEL
 ACOUSTIC: 39 DBA
 SHADOW FLICKER: 6:36
 NEAREST TURBINE: 76 (3,702 FT.)

Burke County Wind Energy Center
 Site Plan Map - Page 14 of 15
 Burke County, North Dakota
 Date: 2/4/2019

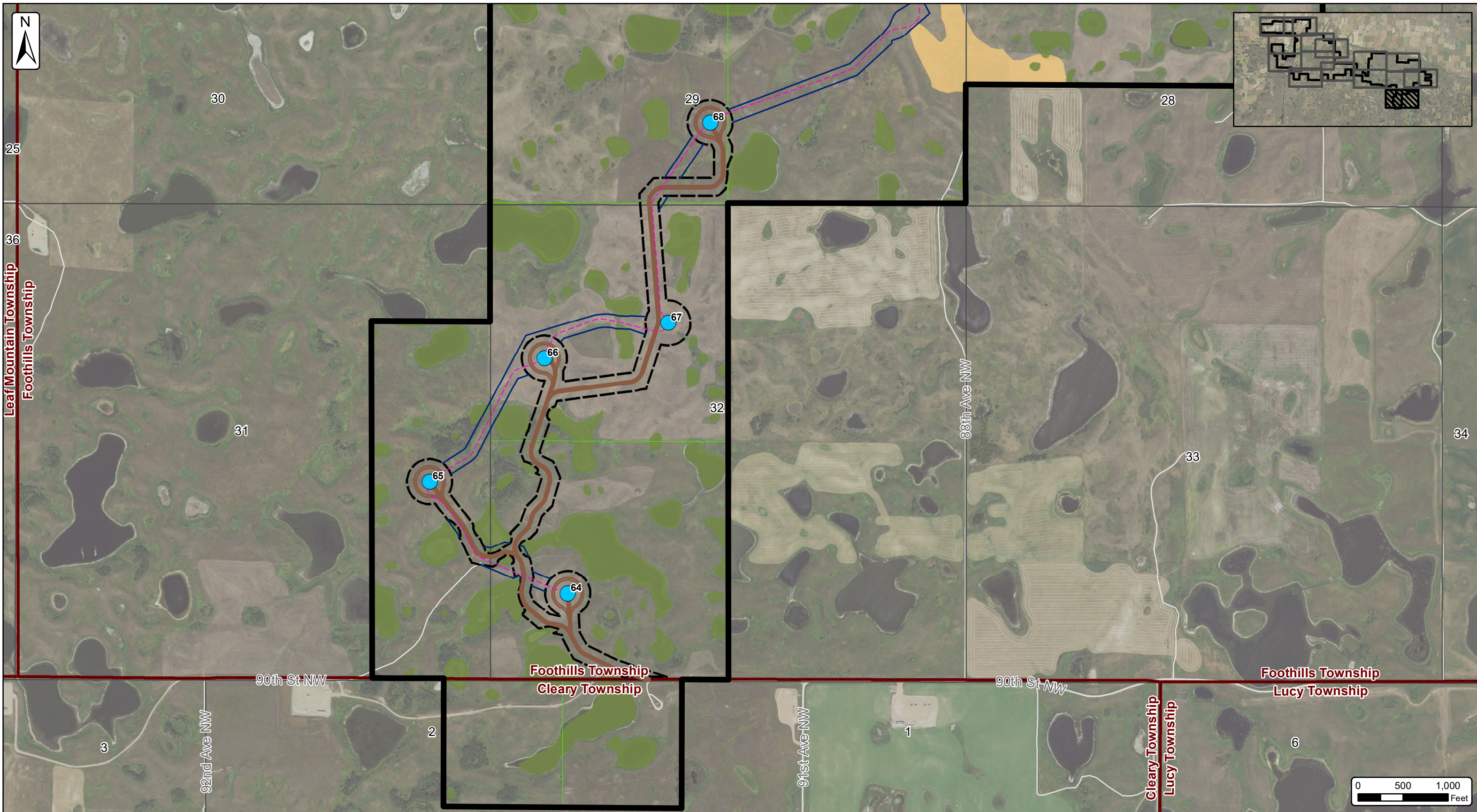
Client:
Burke Wind, LLC
 Atwell, LLC Project:16000947

Project Site Plan <ul style="list-style-type: none"> Turbine (10/08/2018) Alt Turbine (10/08/2018) MET Tower (10/26/2018) Access Road (01/02/2018) Collection Line (12/17/2018) Collection Line Bore (12/17/2018) Collection Corridor (12/17/2018) 	<ul style="list-style-type: none"> Construction Easement (12/19/2018) Crane Path (11/16/2018) Batch Plant Area (11/01/2018) Laydown Yard (05/30/2018) O&M & Substation (06/06/2018) Project Area 10/23/2018 (±22,933 Ac.) 	Exclusion Areas Archaeological Sites Not Shown Due to Confidentiality Farmland Soils (SSURGO) Percent of Project Area Farmland of Statewide Importance (14.06%)	Project Participation <ul style="list-style-type: none"> Participating Occupied Receptor Not Participating Occupied Receptor Occupied Receptor Setback 0.5 Mi Buffer Participating Parcel Non-Participating Parcel Participating Landowner, Non-Participating Parcel 	Data <ul style="list-style-type: none"> Isolated Wetlands Jurisdictional Wetlands Sections (PLSS) Townships (MCD) Counties
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Burke County Wind Energy Center
 Site Plan Map - Page 15 of 15
 Burke County, North Dakota
 Date: 2/4/2019

Client:
Burke Wind, LLC
 Atwell, LLC Project:16000947

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|--|--|
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|--|--|

- Exclusion Areas**
- ▲ Archaeological Sites Not Shown Due to Confidentiality
 - ▲ Farmland Soils (SSURGO)
 - Percent of Project Area
 - Farmland of Statewide Importance (14.06%)

- Project Participation**
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 - Not Participating Occupied Receptor
 - Occupied Receptor Setback 0.5 Mi Buffer
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SOURCE: USDA NAIP 2017

SUMMARY OF AGENCY RESPONSES

Agency	Response Date	Response Summary
U.S. Fish and Wildlife Service (USFWS)	11/06/2018	Western EcoSystems Technology, Inc. provided spatial data (related to turbine locations, wetlands, and unbroken grassland) to the USFWS.
	11/25/2018	The USFWS provided a comment and recommendation letter to Atwell, on behalf of Burke Wind, dated November 25, 2018. The USFWS subsequently filed these comments with the Commission, on December 14, 2018.