United States Department of the Interior

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IN REPLY REFER TO:
RUSO WIND
PROJECT

June 4, 2019

Mr. Steven Kahl
Interim Executive Secretary
North Dakota Public Service Commission
600 East Boulevard, Department 408
Bismarck, North Dakota 58505-0480

Dear Mr. Kahl:

This letter is in regard to the Ruso Wind Project, proposed by Southern Power Company (SPC), in McHenry, McLean and Ward Counties, North Dakota. We have relayed to the North Dakota Public Service Commission (NDPSC) and SPC that our primary concern regarding this project is its proposed location on the Missouri Coteau. The existence of unbroken grasslands and high number of wetland basins in this area mean it is of high value to the state's wildlife resources. Development in such locations results in relatively greater environmental impacts compared to projects in more disturbed locations (e.g. cropland dominated landscapes); we encourage companies to seek out disturbed sites for establishment of wind energy facilities. While SPC purchased the Ruso project from another developer (thus did not choose the project location), we have emphasized to SPC that future project site-selections should seek to avoid such grassland/wetland areas. Previously disturbed areas do overlap with suitable wind energy resources in the Great Plains; see Fargione et al. (2012).

Grassland nesting birds in particular are of concern with this project. Due in large part to historic and ongoing loss of habitat, among other factors, many species in this group have/continue to experience significant population declines. If this continues unchecked, such steep declines may put some of these species at risk of extinction and in need of protections under the Endangered Species Act (ESA). Our *Birds of Conservation Concern 2008* report identifies 27 species within the Prairie Potholes Region, potentially all of which may occur in the proposed Ruso project area, that currently require proactive conservation measures to stem population declines. The North Dakota Game and Fish Department (NDGFD) has identified many of those same species as Species of Conservation Priority in their *North Dakota State Wildlife Action Plan.* Placement of developments in high wildlife use areas, particularly with no actions taken to offset the impacts to wildlife, will exacerbate declines of these species and could result in future ESA listings. Wind developers can contribute to conservation of these species first and foremost by avoiding wildlife habitats, and secondarily by adequately offsetting any unavoidable impacts in these areas.

Although the Ruso Wind Project is sited in an area of high value to wildlife, SPC has made substantial changes to their project layout to reduce expected impacts. We have emphasized that both direct and indirect impacts to habitat and wildlife are expected as a result of this proposed project and recommended application of the best available science to calculate indirect impacts to grassland nesting birds (Shaffer and Buhl 2016, Leddy et al. 1999) and waterfowl pairs (Loesch et al. 2013). SPC has voluntarily moved the majority of proposed turbines westward into a more agriculturally dominated portion of the project area with fewer wetlands, and have indicated no turbines will be placed on unbroken prairie. SPC has also, in coordination with ourselves and the NDGFD, agreed to restore/create acreages of grasslands and wetlands in order to compensate for the Ruso Wind Project's wildlife impacts. Those acreages are:

- 1.17 grassland acres to offset direct permanent impacts to unbroken and broken grasslands
- 20.97 grassland acres to offset "temporary" impacts to unbroken grasslands (breaking up prairie can result in permanent changes)
- 135.53 grassland acres to offset displacement of nesting birds in unbroken grasslands, and
- 196 acres of wetlands to offset displacement of 417 duck pairs

We are in agreement that the above acreages are appropriate, with exception of indirect impacts to replanted grasslands. Replanted grasslands, which also provide wildlife habitat in agriculturally dominated landscapes, will incur both direct and indirect impacts (Leddy et al. 1999). To date SPC has indicated they will offset only the direct impacts to this habitat type. We continue to recommend that indirect impacts (displacement of birds) within replanted grasslands be offset, but are in alignment with NDGFD that unbroken prairie is the conservation priority.

It is our understanding that SPC is currently working with a third party conservation entity who will be able to assist SPC to ensure the above acreages of grassland and wetland habitats are established on the ground, though as of this writing, no formal agreement has been established. SPC has also indicated they will provide funds to the third party prior to Ruso construction activities.

We recognize the voluntary nature of these offsets and commend SPC for acknowledging the direct and indirect impacts the Ruso Wind Project will have on wildlife, as well as their use of the best available science to determine appropriate habitat offsets. It is our understanding that the acreages SPC committed to restoring/creating will be established and maintained for the life of the project.

If you have any questions on these comments, please contact Natalie Gates of this office at (605) 224-8693, Extension 227.

Sincerely,

Scott Larson
Field Supervisor
North and South Dakota Field Offices

cc: SPC, Kristin Mohon, Birmingham, AL
NDGF, Greg Link, Bismarck, ND

Literature Cited

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Leddy, K. L, K. F. Higgins, D. E. Naugle. 1999. Effects of wind turbines on upland nesting birds in Conservation Reserve Program grasslands. Wilson Bulletin 111(1):100-104.

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