



July 13, 2021

VIA E-MAIL AND FEDERAL EXPRESS

Mr. Adam Renfandt
Analyst, Public Utilities Division
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Bowman Wind, LLC's Application for a Certificate of Site Compatibility for the Bowman Wind Project, Bowman County, North Dakota
Case No. PU-21-121**

Dear Mr. Renfandt:

Bowman Wind, LLC ("Bowman Wind") received your request for information, dated June 22, 2021. Below are responses to the requests outlined in your letter.

Request 1: Bowman Wind will prepare and file a table providing the requested information at least thirty days prior to the August 24, 2021 public hearing.

Request 2: Bowman Wind addresses each request below:

- a. **Stormwater Pollution Prevention Plan ("SWPPP")** – A SWPPP is typically prepared closer to Project construction once final, detailed Project engineering design has been completed. As a result, Bowman Wind does not have a SWPPP for the Bowman Wind Project ("Project") at this time. However, Bowman Wind has committed in the Certificate of Site Compatibility Application ("Application") to prepare a SWPPP for the Project and discusses in the Application the topics the SWPPP will address (see, e.g., page 62). Further, the SWPPP is required to be submitted to the North Dakota Department of Environmental Quality to obtain coverage under the North Dakota Pollution Discharge Elimination System ("NDPDES")

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Response to 22 June 2021 request for information
Bowman Wind, LLC
Mollie Smith, Fredrikson&Byron, P.A.

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General Stormwater Construction Permit, which the Project will obtain and submit to the Commission prior to initiating construction activities associated with the permit.

- b. Spill Prevention, Control, and Countermeasures Plan (“SPCC Plan”) – A SPCC Plan is only required if a facility associated with the Project has oil storage of more than 1,320 gallons. Often, wind projects do not trigger the SPCC Plan requirement, and it has not yet been determined that a SPCC Plan will be needed for the Project. As a result, this plan has not been prepared. If the Project triggers the SPCC Plan requirement, Bowman Wind commits to having a SPCC Plan prepared.
- c. Erosion Control Plan – The main purpose of the SWPPP is to outline erosion control measures, and a separate, stand-alone erosion control plan is not typically needed or prepared. Please see the response above regarding the SWPPP.
- d. Revegetation Plan – Wind projects do not typically require or prepare stand-alone revegetation plans. However, Bowman Wind has committed to reseeding disturbed areas in the Application (see, e.g., page 60) and Bowman Wind will comply with the Commission’s Certification Relating to Order Provisions requirement to reseed disturbed areas in accordance with Natural Resources Conservation Service recommendations, unless otherwise requested by the landowner(s) and approved by the Commission.
- e. Weed Management Plan, and any county specific weed management plan – Bowman Wind will provide a copy of its weed management plan at least thirty days prior to the August 24, 2021 public hearing. The plan has been developed in coordination with Bowman County.
- f. Construction Plan – Bowman Wind does not have a stand-alone construction plan at this time. Detailed engineering design plans will be prepared closer to construction, and the Commission typically requires in its Certification Relating to Order Provisions that a copy of the final engineering design drawings be filed prior to initiating construction. Bowman Wind also discusses its construction plans in Section 5.1 of the Application.
- g. Dust Control Plan – Wind projects do not typically require or prepare stand-alone dust control plans. However, dust control measures are being incorporated into the Project’s road use agreement with Bowman County. The dust control measures will be addressed in Bowman Wind’s pre-filed direct testimony, which will be submitted in advance of the August 24, 2021 public hearing.
- h. Emergency Procedures Plan – An initial emergency response plan will be filed at least thirty days prior to the August 24, 2021 public hearing. It is anticipated the initial plan will be updated with more detailed information closer to Project construction.

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- i. Eagle Conservation Plan – In the Project’s Draft Bird and Bat Conservation Strategy (“BBCS”) provided as Appendix I to the Application, Bowman Wind outlines its Project development approach that is consistent with the recommendations in the United States Fish and Wildlife Service (“USFWS”) Land-Based Wind Energy Guidelines and Eagle Conservation Plan Guidance, including the studies and analysis conducted and avoidance/minimization measures that have been or will be employed to address potential impacts to wildlife (including eagles). Bowman Wind is voluntarily taking the additional step of preparing an Eagle Conservation Plan (“ECP”), which may be part of a voluntary Eagle Incidental Take Permit (“EITP”) application. The ECP is in the process of being prepared in connection with a potential voluntary EITP application, its development and coordination with the USFWS is ongoing, and a thorough discussion of eagle-related studies, analysis, and considerations is provided in the BBCS. For these reasons, Bowman Wind does not plan to provide the ECP.
- j. Environmental Training Plan – Environmental training is discussed in the Bird and Bat Conservation Strategy (“BBCS”) provided as Appendix I to the Application (see, e.g., pages 43-46). A more detailed training plan will be developed closer to Project construction.

Request 3: Bowman Wind will provide an updated version of Permits and Approvals Table 7.0-1 in the Application at least thirty days prior to the August 24, 2021 public hearing.

Request 4: Bowman Wind acknowledges that the Commission’s decommissioning rules require Commission approval to allow infrastructure to remain in place at the time of Project decommissioning. The referenced statement in Section 7.0 on page 47 of the BBSC is not intended to conflict with the Commission’s decommissioning requirements, and Bowman Wind will comply with those requirements, including obtaining Commission approval to leave infrastructure in place.

Request 5: WEST implements a requirement that each survey point have 50% of the 800-m survey plot located within the current Project boundary to be included in the analysis. Points 12, 41, and 49 had less than 50% included within the current Project boundary and as such were excluded from the analysis. Including these survey points would not better inform the analysis. The number of survey points included in the analysis was sufficient to evaluate avian use of the Project, including species composition, and excluding these points did not change the overall results or interpretation of these results.

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An electronic copy of this letter was filed with the Commission today via e-mail, and an original and ten copies were sent to the Commission via Federal Express.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Mollie M. Smith". The signature is written in dark ink and is positioned above the printed name.

MOLLIE M. SMITH

MMS/ms/73324715v4

cc: Steven Kahl, Executive Director (w/ encls., via Federal Express and e-mail)
Brenna Gunderson (Via e-mail)
Scott Jansen (Via e-mail)