

Bowman Wind, LLC
Bowman Wind Project
Docket No. PU-21-121

Supplement to Exhibit No. 19 – Additional North Dakota Game and Fish Correspondence

Following the August 24, 2021 public hearing, the North Dakota Public Service Commission (“Commission”) requested that Bowman Wind, LLC (“Bowman Wind”) engage in further coordination with the North Dakota Game and Fish Department (“NDGFD”) regarding recommendations made in the NDGFD’s July 22, 2021 letter to the Commission. In accordance with the Commission’s request, Bowman Wind engaged in the following additional coordination with the NDGF:

- October 13, 2022: Bowman Wind e-mailed a request for additional information to NDGFD related to its recommendations. Copies of the e-mail and attachments are provided as **Supplement to Exhibit No. 19(a)**.
- October 13–19, 2022: Bowman Wind and NDGFD exchanged e-mails regarding conveying shapefiles. Copies of those e-mail exchanges are provided as **Supplement to Exhibit No. 19(b)**.
- October 31–November 5, 2022: Bowman Wind and NDGFD exchanged e-mails regarding scheduling a meeting to discuss NDGFD’s recommendations, and agreed to meet on November 22, 2022. Copies of those e-mail exchanges are provided as **Supplement to Exhibit No. 19(c)**.
- November 18, 2022: Bowman Wind e-mailed NDGFD responses to NDGFD’s recommendations #2 and #4, noting that it considered those recommendations to be addressed. Additionally, Bowman Wind reiterated its October 13, 2022 request for information. A copy of the e-mail is provided as **Supplement to Exhibit No. 19(d)**.
- November 21, 2022: Bowman Wind e-mailed NDGFD regarding planned attendees at the November 22, 2022 meeting, and NDGFD e-mailed requested information to Bowman Wind. Copies of the e-mails are provided as **Supplement to Exhibit No. 19(e)**.
- November 22, 2022: Bowman Wind met with NDGFD at NDGFD’s offices in Bismarck, ND. Brian Johnson, Commission Staff, also attended the meeting.
- December 1, 2022: A summary of the November 22, 2022 meeting and Bowman Wind’s plans to address NDGFD’s recommendations #1 and #3 were e-mailed to NDGFD. Copies of the e-mail and attachment are provided as **Supplement to Exhibit No. 19(f)**.
- December 12, 2022: Bowman Wind re-sent its December 1, 2022 e-mail and attachment to NDGFD. A copy of the e-mail is provided as **Supplement to Exhibit No. 19(g)**.

- December 13–14, 2022: NDGFD and Bowman Wind exchanged e-mails regarding the meeting summary and Bowman Wind's plans to address NDGFD's recommendations #1 and #3. Copies of the e-mails are provided as **Supplement to Exhibit No. 19(h)**.

In summary, Bowman Wind provided responses to NDGFD's recommendations #2 and #4 in an e-mail to NDGFD on October 18, 2022, noting it understood those recommendations were addressed, and those recommendations were not discussed in detail further. With respect to the NDGFD's recommendations #1 and #3, the following resolutions were identified in coordination with NDGFD:

1. *All proposed turbines be removed from within greater sage-grouse PCA and at least 4 miles from known sage-grouse leks.*

Note: NDGFD provided information via November 21, 2022 email detailing that lek identification B6 was the previously active greater sage-grouse lek and turbines 45, 46, 48, 71, 73, and 41 occurred within a 4 mile buffer of the lek. This greater sage-grouse lek was last occupied in 2021.

Discussion: Discussion between both parties centered around the potential for impacts to occur to the remaining population of greater sage-grouse that has occurred within the 4 mile buffer of lek B6. It was acknowledged that the project had taken NDGFD input into consideration and reduced potential impacts greatly by shifting the project area to its current location away from more suitable intact native sage-grouse habitat to the south and closer to the edge of the species range. However, NDGFD noted its main concern was with the two turbines (i.e., 71 and 73) sited approximately two miles from lek B6. NDGFD acknowledge these two turbines were sited in cultivated areas but are in close proximity to important greater sage-grouse connectivity habitat. In addition, the NDGFD acknowledged the other four turbines were sited near the 4-mile lek buffer mark and at the edge of the species range.

Resolution: NDGFD's recommendation remains to site turbines outside of a 4 mile lek buffer from active greater sage-grouse leks and outside of PCAs, as that is the current guidance in its 2014 Greater Sage-Grouse Conservation Plan. Based on the overall discussion, it was agreed that Bowman Wind would remove turbines 71 and 73 from the proposed layout to avoid potential impacts to habitat connectivity.

3. *In the absence of two years pre-construction sharp-tailed grouse surveys, all turbines should be sited off unbroken grasslands to avoid disturbance to any leks which may be present.*

Note: Bowman Wind provided that turbines 2, 6a, 42a, 25 and S6 were sited on unbroken grasslands.

Discussion: Both parties discussed the previous lek surveys that were undertaken and the NDGFD miscommunication that had occurred during previous agency coordination. Given the seasonal and temporal variation in sharp-tailed grouse lekking activity and Project's development timeline, discussion occurred on ways to minimize impacts to individual sharp-tailed grouse attending leks if they occurred in close proximity to these identified turbines.

Resolution: Bowman Wind will avoid all ground disturbing construction activities at turbine locations 2, 6a, 42a, 25, and S6 between March 15 and July 15.

See Supplement to Exhibit No. 19(f).

The updated Project layout reflecting the removal of turbines 71 and 73 is provided in Late-Filed Exhibit Nos. 42, 42(a), and 42(b). As Bowman Wind outlined in its December 14, 2022 e-mail to NDGFD, the above commitments, along with Bowman Wind's prior siting efforts, have minimized the Project's potential wildlife impacts:

We appreciate NDGF[D]'s comments on and acknowledgment of the measures Bowman Wind has taken to minimize potential wildlife impacts. Throughout the development process, Bowman Wind implemented numerous layout revisions to incorporate N[D]GFD's recommendations specific to potential impacts to Species of Conservation Concern. As discussed at the November 22, 2022 meeting, with the assistance of Chad LeBeau and the WEST team, Bowman Wind sited turbines to minimize potential impacts to those species, including sharp-tailed grouse. We acknowledge your recommendations regarding voluntary offsets for potential impacts to habitat of Species of Concern. As set forth in the BBCS, Bowman Wind has voluntarily committed to offset potential habitat impacts using the Shaffer – Loesch model.

See Supplement to Exhibit No. 19(h).