

Appendix D

Agency Correspondence

Badger Wind, LLC
February 2024

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December X, 2023

Mr./Ms. XX
Title/Agency
Address Line 1
Address Line 2

Subject: Proposed Updates to the Badger Wind Project in Logan and McIntosh Counties, North Dakota

Dear XX,

Badger Wind, LLC (“Badger”) is in the process of developing the proposed Badger Wind Project (the “Project”) in McIntosh and Logan Counties, North Dakota. The Project will have a nameplate capacity of up to 262.26 megawatts (“MW”), with up to 252 MW delivered to the grid. On November 30, 2022, the North Dakota Public Service Commission (“PSC”) issued a Certificate of Site Compatibility to Badger Wind for the Project. Since then, Badger Wind has made updates to the Project, which include expanding the Project boundary and design modifications. The proposed Project is now planned to be located on approximately 34,867 acres of private land in Logan and McIntosh Counties (“Project Area”).

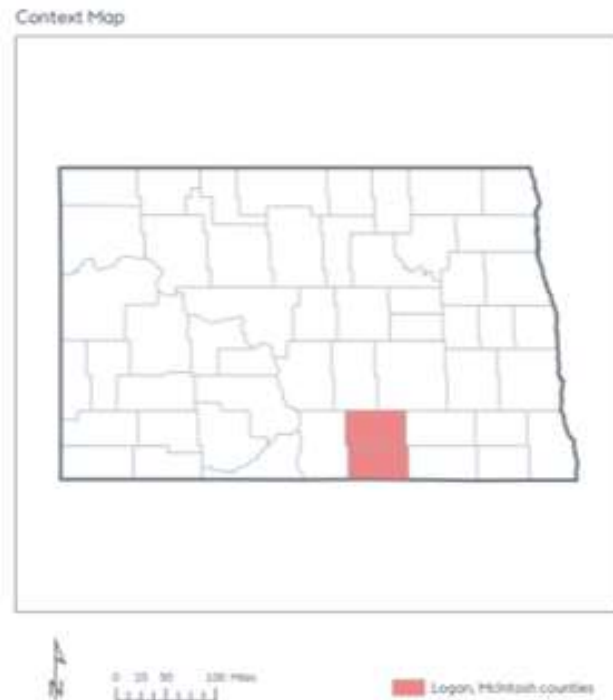
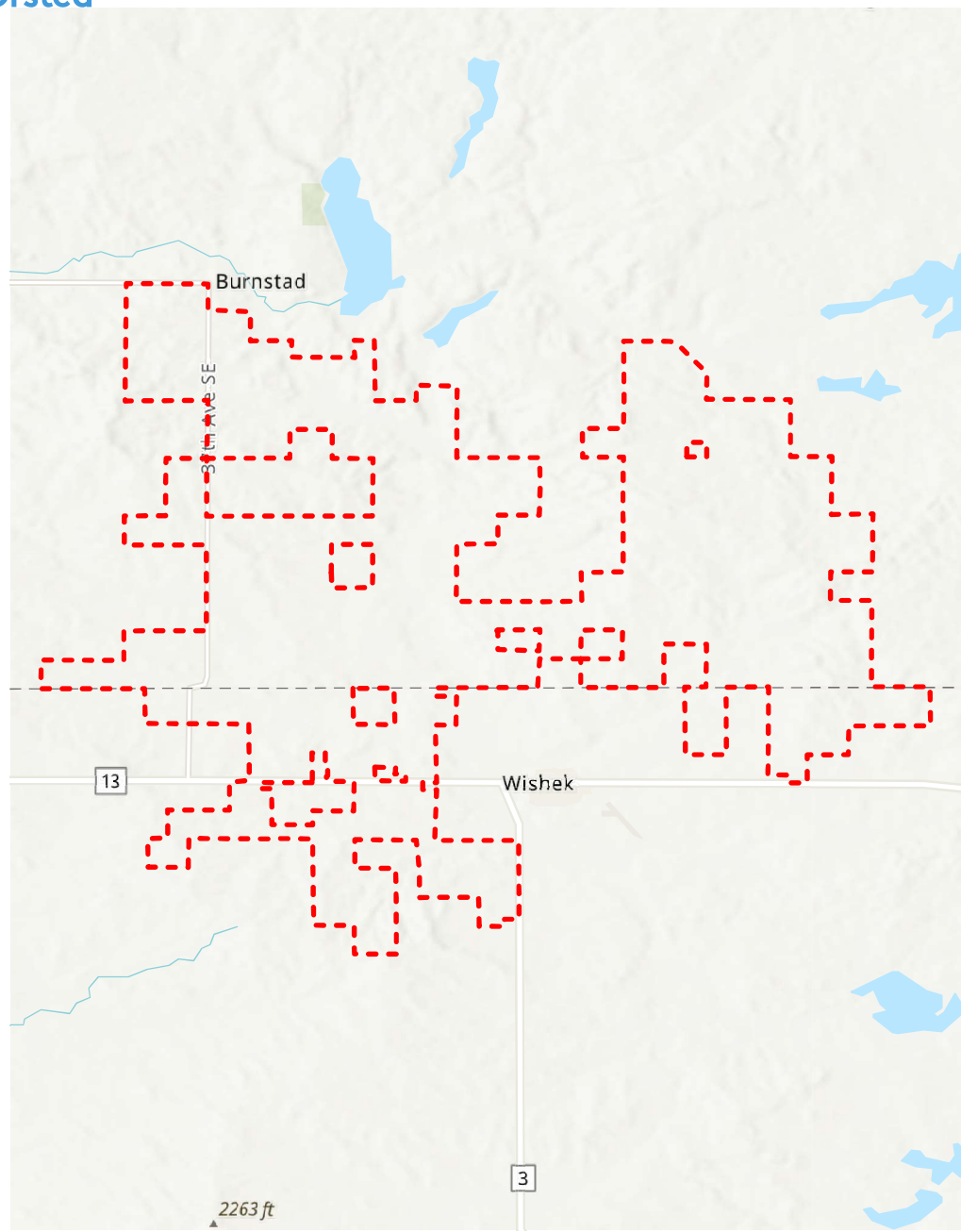
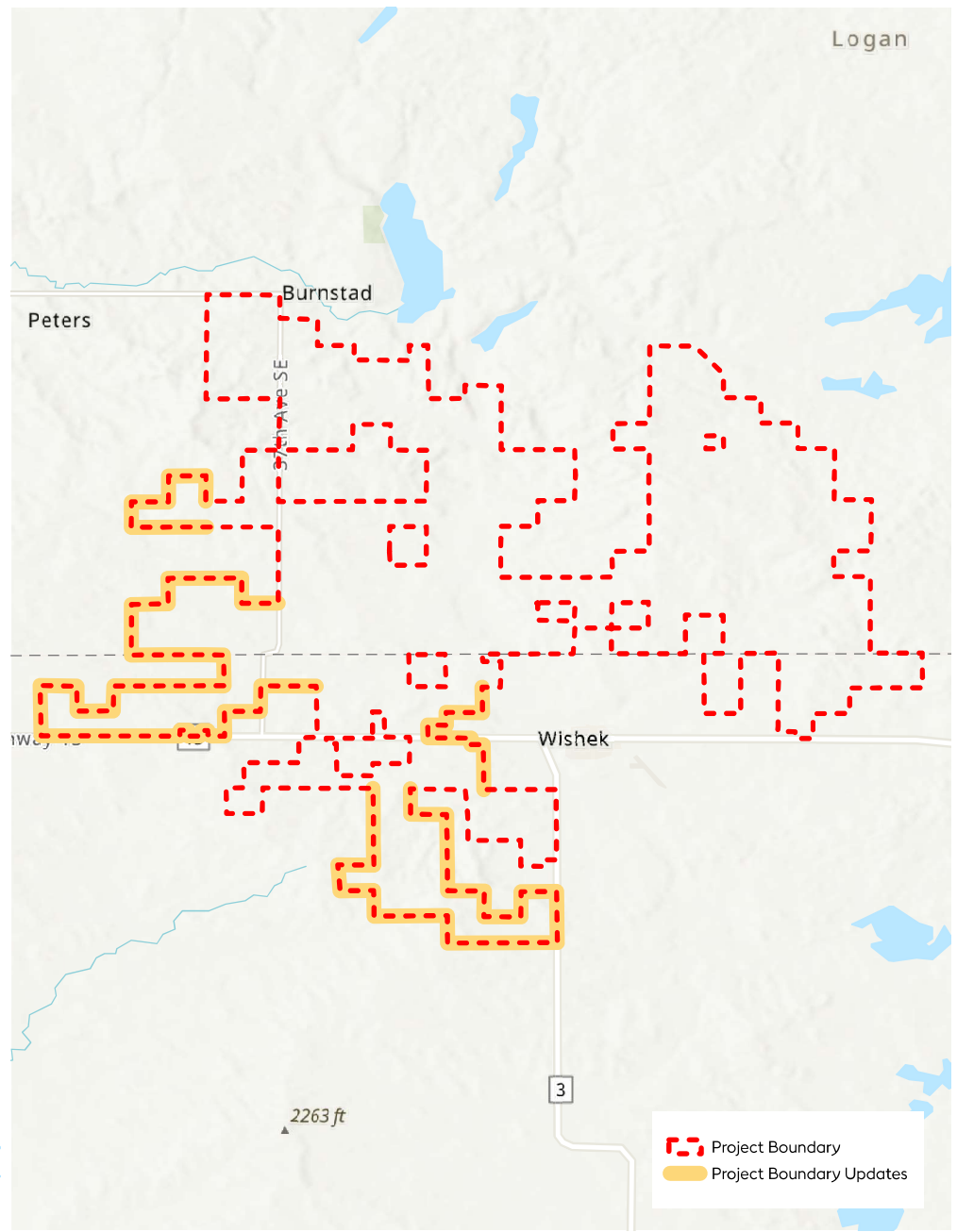


Figure 1: Context Map of Logan and McIntosh Counties



Previously Proposed Project Boundary



Currently Proposed Project Boundary

Current Proposed Project

With the updates, the proposed Project will include the following permanent facilities:

- up to 103 wind turbine locations, with up to 93 wind turbines and related equipment constructed, depending on final turbine model selected;
- underground electrical collection lines;
- new gravel access roads and improvements to existing roads;
- a collector substation;
- a new switchyard (depending on interconnection, see below);
- up to 3 permanent meteorological towers;
- an aircraft detection lighting system and related equipment;
- an operations and maintenance facility; and
- an overhead generation interconnection tie line.

The Project will also include temporary facilities, such as batch plants, laydown and staging areas, crane paths, and temporary road improvements.

The Project will interconnect to the grid via a short (less than one mile in length) 230 or 345 kilovolt (“kV”) (voltage depending on point of interconnection) generation interconnection tie line extending from the Project’s collector substation to the point of interconnection. Badger Wind is now considering two potential options for interconnection: (1) Montana-Dakota Utilities Company’s (“MDU”) existing Wishek Junction 230 kV substation in McIntosh County; or (2) the Groton – Leland Olds 345 kV transmission line, owned by Basin Electric, via a new switchyard located in Logan County.

Table 1 provides the sections of land that Badger Wind is evaluating for siting the Project.

Township Name	County	Township	Range	Section(s)
Unorganized Territory	Logan	133N	70W	6–8, 16–21, 28–33
Unorganized Territory	Logan	133N	71W	3–6, 8–10, 12, 14, 15, 18–23, 25–29, 30–36
Unorganized Territory	Logan	133N	72W	13, 24, 25, 36
Red Lake	Logan	134N	71W	31–32
Unorganized Territory	McIntosh	132N	70W	5-7
Unorganized Territory	McIntosh	132N	71W	1, 4-8, 12, 17-21, 28-33

Table 1: Project Area Location (Logan County)				
Township Name	County	Township	Range	Section(s)
Unorganized Territory	McIntosh	132N	72W	1, 2, 9-14, 23

Badger Wind anticipates initiating the process with the PSC for an amended Certificate of Site Compatibility in early 2024. In conjunction with preparing the PSC amendment application, we are seeking input from your agency or entity regarding any sensitive resources, current or planned development, or property interests your agency or entity may have in or around the Project Area that Badger Wind should consider as it moves forward with development. In addition, we ask that you provide information regarding any applicable permits that may be required from your office. To facilitate your review, we have enclosed a map that depicts the current Project Area within which turbines and associated facilities may be proposed. The map also shows the previous and current Project Areas, for reference. We welcome any comments your agency may have at this time and throughout the permit amendment application process. Any written agency comments provided in response to this letter will be incorporated into the PSC’s review process.

More information can be found at our project website: <https://badgerwindfarm.com>. If you have an interest in receiving further information about the Project, please e-mail Mark Crowl (mcrow@orsted.com) or Amanda Coletti (amcol@orsted.com).

Regards,

Mark Crowl
 Director, Development

Badger Wind Agency Consultation List Since 2022 CSC Permit Application							
Date	Entered By	Task	Deliverable Type	Communication Type	To	From	Details
U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA)							
20-Dec-23	DD	Project Notification		Letter	NTIA	Ian Evans (DNV)	Submittal for NTIA Review
11-Jan-24	EW	Project Notification		Letter	NTIA	Ian Evans (DNV)	Submittal for NTIA Review-Turbine Adjustment
31-Jan-24	EW	Project Notification		Letter	Ian Evans (DNV)	NTIA (Felica Walker)	Request for information
1-Feb-24	DD	Project Notification		Letter	NTIA (Felicia Walker)	Ian Evans (DNV)	Response to request for additional information
U.S. Bureau of Land Management (BLM)							
19-Dec-23	EW	Project Notification		Letter	BLM	Mark Crowl (Orsted)	Sent Notice of Intent Letter
U.S. Army Corps of Engineers (USACE)							
19-Dec-23	EW	Project Notification		Letter	USACE	Mark Crowl (Orsted)	Sent Notice of Intent Letter
29-Dec-23	EW	Project Notification		Letter	Orsted (Amanda Coletti)	USACE (Benjamin N. Soiseth)	Received Notice of Intent response stating that a Section 404 permit may be needed and assigned an agency tracking number (NOW-2021-01889-BIS)
U.S. Fish and Wildlife Service (USFWS)							
15-Aug-23	EW	Project Consultation		Meeting	USFWS Heidi Riddle NDGF Bruce Kreft Elisha Mueller	Orsted Christoper Farmer Andrew Krieger Mark Crowl Ellen Crivella Nicholas Gebauer WEST Kristen Chodachek Martin Piorkowski	Agency project introduction meeting - included summary of studies completed to date (see meeting minutes)
19-Dec-23	EW	Project Notification		Letter	USFWS	Mark Crowl (Orsted)	Sent Notice of Intent Letter
24-Jan-24	EW	Project Consultation		Meeting	USFWS Wayne Henderson	Orsted Amber Minor Andrew Krieger Mark Crowl Amanda Coletti Samiel Hinebaugh Kevin Thomas Sonia Lopez Ayesha Vohra Carl Poole Taelor Chism DNV David De Caro Fredrickson Jeanne Tracy David Streier	Review easement regulatory requirements and actions.
30-Jan-24	EW	Project Consultation		Meeting	USFWS Heidi Riddle NDGF Bruce Kreft Elisha Mueller NDDA Dutch Bialke Adam Miller	Orsted Christoper Farmer Andrew Krieger Mark Crowl WEST Kristen Chodachek Clayton Derby	Review offset calculations
Department of Defense (DoD)							
19-Dec-23	EW	Project Notification		Letter	DoD	Mark Crowl (Orsted)	Sent Notice of Intent Letter
19-Dec-23	EW	Project Notification		Letter	Military Aviation and Installation Assurance Siting Clearinghouse (DoD)	Mark Crowl (Orsted)	Sent Notice of Intent Letter
28-Dec-23	EW	Project Notification Response		Email	Ian Evans (DNV)	Military Aviation and Installation Assurance Siting Clearinghouse (DoD)	Notice of receipt
19-Jan-24	DD	Project Notification		Email	Ian Evans (DNV)	Dan Townes (DoD)	Request for Information
19-Jan-24	DD	Project Notification		Email	Dan Townes (DoD)	Ian Evans (DNV)	Request for Information - Response
26-Jan-24	EW	Project Notification		Letter	Ian Evans (DNV)	Robbin Beard (Clearinghouse)	Notifying of minimal impact on military operations conducted in the area.
Federal Aviation Administration (FAA)							

19-Dec-23	EW	Project Notification		Letter	FAA	Mark Crowl (Orsted)	Sent Notice of Intent Letter
Department of Trust Lands - Energy Infrastructure and Impact Office							
19-Dec-23	EW	Project Notification		Letter	Department of Trust Lands	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Geological Survey (NDGS)							
19-Dec-23	EW	Project Notification		Letter	NDGS	Mark Crowl (Orsted)	Sent Notice of Intent Letter
9-Jan-24		Project Notification Response		Email	Mark Crowl	Fred J. Anderson (NDGS)	Notice response noting no concerns
North Dakota Game and Fish Department (NDGF)							
19-Dec-23	EW	Project Notification		Letter	NDGF	Mark Crowl (Orsted)	Sent Notice of Intent Letter
					NDGF Bruce Kreft Elisha Mueller	Orsted Mark Crowl Chris Farmer Andrew Krieger WEST Martin Piorkowski Kristen Chodachek	
29-Jun-23	EW	Project Consultation		Meeting			Review project changes and seek feedback from NDGF
Grand Forks Air Force Base							
19-Dec-23	EW	Project Notification		Letter	Grand Forks Air Force Base	Mark Crowl (Orsted)	Sent Notice of Intent Letter
Logan County							
20-Mar-23	DD	Project Consultation		Email	Jody Kristiansen (Logan County)	Amanda Coletti (Orsted)	Meeting Request
20-Mar-23	DD	Project Consultation		Email	Amanda Coletti (Orsted)	Jody Kristiansen (Logan County)	Meeting Request
22-Mar-23	DD	Project Consultation		Email	Jody Kristiansen (Logan County)	Amanda Coletti (Orsted)	Meeting Request
22-Mar-23	DD	Project Consultation		Email	Amanda Coletti (Orsted)	Jody Kristiansen (Logan County)	Meeting Request
30-May-23	DD	Project Consultation		Email	Jody Kristiansen (Logan County)	Amanda Coletti (Orsted)	Meeting Request
30-May-23	DD	Project Consultation		Email	Amanda Coletti (Orsted)	Jody Kristiansen (Logan County)	Meeting Request
30-May-23	DD	Project Consultation		Email	Jody Kristiansen (Logan County)	Amanda Coletti (Orsted)	Meeting Request
7-Jun-23	EW	Project Consultation		Meeting Agenda	Logan County Commissioners	Amanda Coletti (Orsted)	Meeting Agenda
19-Dec-23	EW	Project Notification		Letter	Logan County	Mark Crowl (Orsted)	Sent Notice of Intent Letter
McIntosh County							
23-Mar-23	DD	Project Consultation		Email	Gina L. Ketterling (McIntosh County)	Amanda Coletti (Orsted)	Meeting Request
24-Mar-23	DD	Project Consultation		Email	Amanda Coletti (Orsted)	Gina L. Ketterling (McIntosh County)	Meeting Request
24-Mar-23	DD	Project Consultation		Email	Gina L. Ketterling (McIntosh County)	Amanda Coletti (Orsted)	Meeting Request
24-Mar-23	DD	Project Consultation		Email	Amanda Coletti (Orsted)	Gina L. Ketterling (McIntosh County)	Meeting Request
30-May-23	DD	Project Consultation		Email	Gina L. Ketterling (McIntosh County)	Amanda Coletti (Orsted)	Meeting Request
31-May-23	DD	Project Consultation		Email	Amanda Coletti (Orsted)	Gina L. Ketterling	Meeting Request
31-May-23	DD	Project Consultation		Email	Gina L. Ketterling (McIntosh County)	Amanda Coletti (Orsted)	Meeting Request
7-Jun-23	EW	Project Notification Response		Meeting Minutes	McIntosh County Commission	Amanda Coletti (Orsted)	Commission Board Meeting
7-Aug-23	DD	Project Consultation		Email	Gina L. Ketterling (McIntosh County)	Amanda Coletti (Orsted)	Meeting Follow-up
28-Aug-23	DD	Project Consultation		Email	Gina L. Ketterling (McIntosh County)	Amanda Coletti (Orsted)	Meeting Follow-up
29-Aug-23	DD	Project Consultation		Email	Amanda Coletti (Orsted)	Gina L. Ketterling (McIntosh County)	Confirmation that McIntosh County does not require zoning permits.
19-Dec-23	EW	Project Notification		Letter	McIntosh County	Mark Crowl (Orsted)	Sent Notice of Intent Letter
19-Dec-23	EW	Project Notification		Email	Gina L. Ketterling (McIntosh County)	Amanda Coletti (Orsted)	Logan County Meeting Notification
29-Jan-24	EW	Project Notification		Email	Gina L. Ketterling (McIntosh County)	Amanda Coletti (Orsted)	Project notification email and hearing notification.
Red Lake Township							
29-Aug-23	DD	Project Notification		Email	Chuck Fettig (Red Lake Twp)	Amanda Coletti (Orsted)	Consultation
8-Sep-23	DD	Project Notification		Email	Amanda Coletti (Orsted)	Chuck Fettig (Red Lake Twp)	Consultation
Minot Air Force Base							
19-Dec-23	EW	Project Notification		Letter	Minot Air Force Base	Mark Crowl (Orsted)	Sent Notice of Intent Letter
20th Airforce 91st Missile Wing							
19-Dec-23	EW	Project Notification		Letter	20th Airforce 91st Missile Wing	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Aeronautics Commission (NDAC)							
19-Dec-23	EW	Project Notification		Letter	NDAC	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Department of Agriculture (NDDA)							
19-Dec-23	EW	Project Notification		Letter	NDDA	Mark Crowl (Orsted)	Sent Notice of Intent Letter
28-Dec-23	EW	Project Notification		Email	Mark Crowl (Orsted) Amanda Coletti (Orsted)	J.P. "Dutch" Bialke (NDDA)	Notifying Orsted of changes to NDDA environmental mitigation policy.

24-Jan-24	EW	Project Consultation		Meeting	NDDA Dutch Bialke Adam Miller	Orsted Mark Crowl Chris Farmer Andrew Krieger Amanda Coletti WEST Clayton Derby Kevin Shelley	Review proposed Project voluntary offset payment structure and amounts.
North Dakota Department of Career and Technical Education							
19-Dec-23	EW	Project Notification		Letter	North Dakota Department of Career and Technical Education	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Department of Environmental Quality (DEQ)							
19-Dec-23	EW	Project Notification		Letter	DEQ	Mark Crowl (Orsted)	Sent Notice of Intent Letter
17-Jan-24	EW	Project Notification		Letter	Mark Crowl (Orsted)	L. David Glatt (DEQ)	Response to the Notice of Intent letter states that adverse effects to waters should be avoided. Stream beds and banks should be minimally disturbed and replaced/revegetated as soon as possible. Spills of oil and grease should be avoided. If the Project disturbs one or more acres, then a stormwater permit will be required. A TMDL allocation for fecal coliform bacteria has been developed for an UNT to Beaver Lake within the project area. Construction may be located over defined glacial drift aquifers, sensitive groundwater areas, or within wellhead or source water protection areas. Spills should be avoided and reported immediately if they occur. Solid water materials must be managed and transported in accordance with the state's solid and hazardous waste rules. DEQ does not own any land in or adjacent to the project. The proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution.
North Dakota Department of Health							
19-Dec-23	EW	Project Notification		Letter	North Dakota Department of Health	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Department of Labor and Human Rights							
19-Dec-23	EW	Project Notification		Letter	North Dakota Department of Labor and Human Rights	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Department of Commerce							
19-Dec-23	EW	Project Notification		Letter	North Dakota Department of Commerce	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Department of Transportation (ND DOT)							
19-Dec-23	EW	Project Notification		Letter	ND DOT	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Department of Trust Lands (ND DTL)							
19-Dec-23	EW	Project Notification		Letter	ND DTL	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Department of Water Resources (DWR)							
19-Dec-23	EW	Project Notification		Letter	DWR	Mark Crowl (Orsted)	Sent Notice of Intent Letter
19-Jan-24	EW	Project Notification		Letter	Mark Crowl (Orsted)	Vanessa Davila (DWR)	Agency response to the Notice of Intent Letter states there are no FEMA regulatory floodplains within the project. DWR will require a permit if there are changes or effects to ponds, sloughs, lakes, watercourses, or drainage patterns. The project does not require a conditional or temporary permit for water appropriation, but will if surface water or groundwater will be diverted for construction. If any DWR wells have to be removed due to construction of the project, contact DWR.
North Dakota Forest Service							
19-Dec-23	EW	Project Notification		Letter	North Dakota Forest Service	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Department of Human Services							
19-Dec-23	EW	Project Notification		Letter	North Dakota Department of Human Services	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Indian Affairs Commission							
19-Dec-23	EW	Project Notification		Letter	North Dakota Indian Affairs Commission	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Industrial Commission							
19-Dec-23	EW	Project Notification		Letter	North Dakota Industrial Commission	Mark Crowl (Orsted)	Sent Notice of Intent Letter
Job Services North Dakota							
19-Dec-23	EW	Project Notification		Letter	Job Services North Dakota	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota office of Attorney General							

19-Dec-23	EW	Project Notification		Letter	North Dakota office of Attorney General	Mark Crowl (Orsted)	Sent Notice of Intent Letter
Office of Governor Doug Burgum							
19-Dec-23	EW	Project Notification		Letter	Office of Governor Doug Burgum	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Pipeline Authority							
19-Dec-23	EW	Project Notification		Letter	North Dakota Pipeline Authority	Mark Crowl (Orsted)	Sent Notice of Intent Letter
North Dakota Parks and Recreation Department							
19-Dec-23	EW	Project Notification		Letter	North Dakota Parks and Recreation Department	Mark Crowl (Orsted)	Sent Notice of Intent Letter
10-Jan-24	EW	Project Notification		Letter	Mark Crowl (Orsted)	Kathy Duttonhefner (Parks and Recreation)	Response to the NOI letter stating that the project does not appear to affect properties that the NDPRD owns, leases, or manages. The project does not appear to affect any properties protected under Section 6(f) of the LWCF. There are no known rare species or significant ecological communities documented within or immediately adjacent to the project site.
17-Jan-24	EW	Project Notification		Email	Mark Crowl (Orsted) Amanda Coletti (Orsted)	Kathy Duttonhefner (Parks and Recreation)	Transmittal of project notification letter response.
State Historical Society of North Dakota							
19-Dec-23	EW	Project Notification		Letter	State Historical Society of North Dakota	Mark Crowl (Orsted)	Sent Notice of Intent Letter
23-Jan-24	DD	Architectural SHPO Filing		Log Entry	SHPO	CRA	Transmittal confirming report has been filed
26-Jan-24	EW	Archaeology SHPO Filing		Email	SHPO	Rigden Glaab (Westwood)	Transmittal email confirming report has been mailed
North Dakota Transmission Authority							
19-Dec-23	EW	Project Notification		Letter	North Dakota Transmission Authority	Mark Crowl (Orsted)	Sent Notice of Intent Letter
U.S. Department of Agriculture Natural Resources Conservation Service (USDA NRCS)							
19-Dec-23	EW	Project Notification		Letter	USDA NRCS	Mark Crowl (Orsted)	Sent Notice of Intent Letter
Wishek Airport							
12-Sep-23		Project Consultation		Email	Lorren Henke	Amanda Colleti (Orsted)	Consultation Letter
30-Oct-23		Project Consultation		Email	Lorren Henke	Amanda Colleti (Orsted)	Consultation Letter
17-Nov-23	EW	Project Consultation		Email	Lorren Henke	Amanda Colleti (Orsted)	Confirmation of No Issues

Appendix D
Agency Correspondence
U.S. Department of Commerce, National
Telecommunications Information Administration

Badger Wind, LLC
February 2024

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Memo to:

Mrs. Joyce Countee Henry
U.S Department of Commerce,
National Telecommunications
Information Administration

From: DNV Energy USA Inc

Date: 20 December 2023

Prep. by: David De Caro,
Midwest Permitting Manager,
Environmental and Permitting
Services

Submittal of the Badger Wind Farm For Review by Federal Agencies

Dear Mrs. Henry,

I am submitting details for the Badger Wind Farm (the "Project") to the National Telecommunications Information Administration for review by federal agencies. The Project details are included below in the requested format.

If you have any questions or need additional information, I can be reached at david.decaro@dnv.com, or 1-302-463-9018.

Best Regards,

David De Caro



Date: December 20, 2023

Type of Notification: New

Project: Badger Wind Farm
County(ies): Logan and McIntosh
State: North Dakota

Project Sponsor:
 Badger Wind, LLC

Sponsor Contact:
 Andrew Krieger
 401 N Michigan Ave, Suite 501, Chicago, IL 60611
 akrie@orsted.com

Turbine Description:

Number of Turbines: 103 (up to)
 Turbine Hub Height AGL (meters): 89
 Turbine Blade Diameter (meters): 63.5
 Max Blade Tip Height AGL (meters): 152.5

Turbine Locations:

Structure ID	Latitude (N)	Longitude (W)
1	46:22:20.680	099:39:036.313
2	46:22:26.447	099:39:013.820
3	46:22:36.232	099:38:057.224
4	46:19:21.857	099:39:032.850
5	46:19:23.092	099:39:009.576
6	46:17:10.212	099:40:051.186
7	46:17:10.702	099:40:028.528
8	46:17:11.411	099:40:006.946
9	46:17:11.137	099:39:036.238
10	46:17:22.668	099:39:025.531
11	46:17:29.706	099:39:007.153
12	46:17:58.628	099:38:023.230
13	46:18:08.903	099:38:017.178
14	46:18:24.498	099:38:008.898
15	46:18:33.854	099:37:058.955
16	46:18:51.361	099:37:056.399
17	46:19:03.097	099:37:049.753
18	46:18:55.156	099:37:014.592
19	46:19:21.137	099:36:033.311
20	46:16:41.261	099:39:025.506
21	46:16:47.698	099:39:010.487
22	46:16:42.820	099:38:039.592
23	46:16:51.902	099:38:026.286
24	46:17:05.010	099:38:005.644
25	46:17:20.742	099:37:056.291
26	46:17:30.631	099:37:043.223
27	46:17:59.111	099:37:019.240
28	46:18:26.248	099:37:004.400
29	46:16:52.882	099:37:007.932
30	46:17:09.413	099:37:000.826
31	46:17:21.026	099:36:052.312
32	46:17:31.420	099:36:041.677
33A	46:17:41.392	099:36:036.695
34	46:17:58.405	099:36:024.120
37	46:18:36.155	099:35:014.968



38	46:18:50.663	099:35:016.152
39	46:19:05.394	099:35:011.962
40	46:14:48.847	099:38:037.741
41	46:14:53.484	099:38:019.583
42	46:15:13.370	099:38:009.445
43	46:15:21.276	099:37:057.720
46	46:16:05.297	099:37:012.392
47	46:16:14.401	099:37:000.116
48	46:16:06.463	099:36:017.978
49	46:16:17.609	099:35:059.554
54	46:18:03.625	099:32:051.108
55	46:18:10.116	099:32:028.219
56	46:18:21.193	099:32:015.425
57	46:18:32.569	099:32:007.868
58	46:18:40.223	099:31:052.561
59	46:19:21.392	099:31:026.677
60	46:19:43.248	099:30:046.336
61	46:19:52.997	099:30:033.332
62	46:20:07.382	099:30:054.234
63	46:20:15.360	099:31:035.706
64	46:20:40.956	099:30:023.627
65B	46:14:48.246	099:36:054.806
66B	46:14:54.038	099:36:038.340
67B	46:14:56.656	099:36:014.879
68B	46:15:03.701	099:36:000.382
70A	46:17:13.938	099:32:013.927
71	46:17:22.664	099:32:004.805
72	46:18:11.581	099:31:024.096
73	46:17:57.718	099:30:026.140
73B	46:17:49.081	099:30:015.541
74	46:18:35.147	099:30:017.089
75	46:18:05.980	099:29:003.707
76	46:13:27.282	099:36:054.324
77	46:14:00.208	099:36:053.244
78	46:14:12.037	099:36:040.021
79	46:14:08.380	099:35:019.579
80	46:14:08.524	099:34:057.263
81	46:13:30.814	099:34:024.560
83	46:16:17.501	099:29:027.701
84	46:16:43.309	099:29:031.204
85	46:17:06.997	099:29:030.012
86	46:19:24.089	099:40:023.664
87	46:19:27.268	099:40:006.028
88	46:19:42.892	099:39:003.125
89	46:17:33.212	099:40:019.081
90	46:17:43.670	099:40:009.019
91	46:18:00.392	099:40:008.242
92	46:15:46.991	099:42:035.636
93	46:15:49.378	099:42:016.373
94	46:15:52.736	099:41:056.796
95	46:15:48.528	099:40:057.277
96B	46:15:58.198	099:40:043.849
97	46:16:03.461	099:40:025.039
98	46:16:14.236	099:40:005.549
99	46:16:14.722	099:39:043.175
105	46:16:20.996	099:35:037.446
106	46:13:09.419	099:37:026.098
107	46:12:39.136	099:36:054.252
108	46:12:50.976	099:36:045.749
109	46:12:50.677	099:35:058.045
110	46:12:11.603	099:35:033.497



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111	46:12:19.379	099:35:020.609
113	46:12:21.002	099:35:000.838
114	46:12:24.552	099:34:038.662
115	46:12:48.528	099:34:025.331
116	46:16:16.590	099:39:022.547
118	46:13:15.478	099:37:002.640
119	46:12:43.387	099:36:016.448

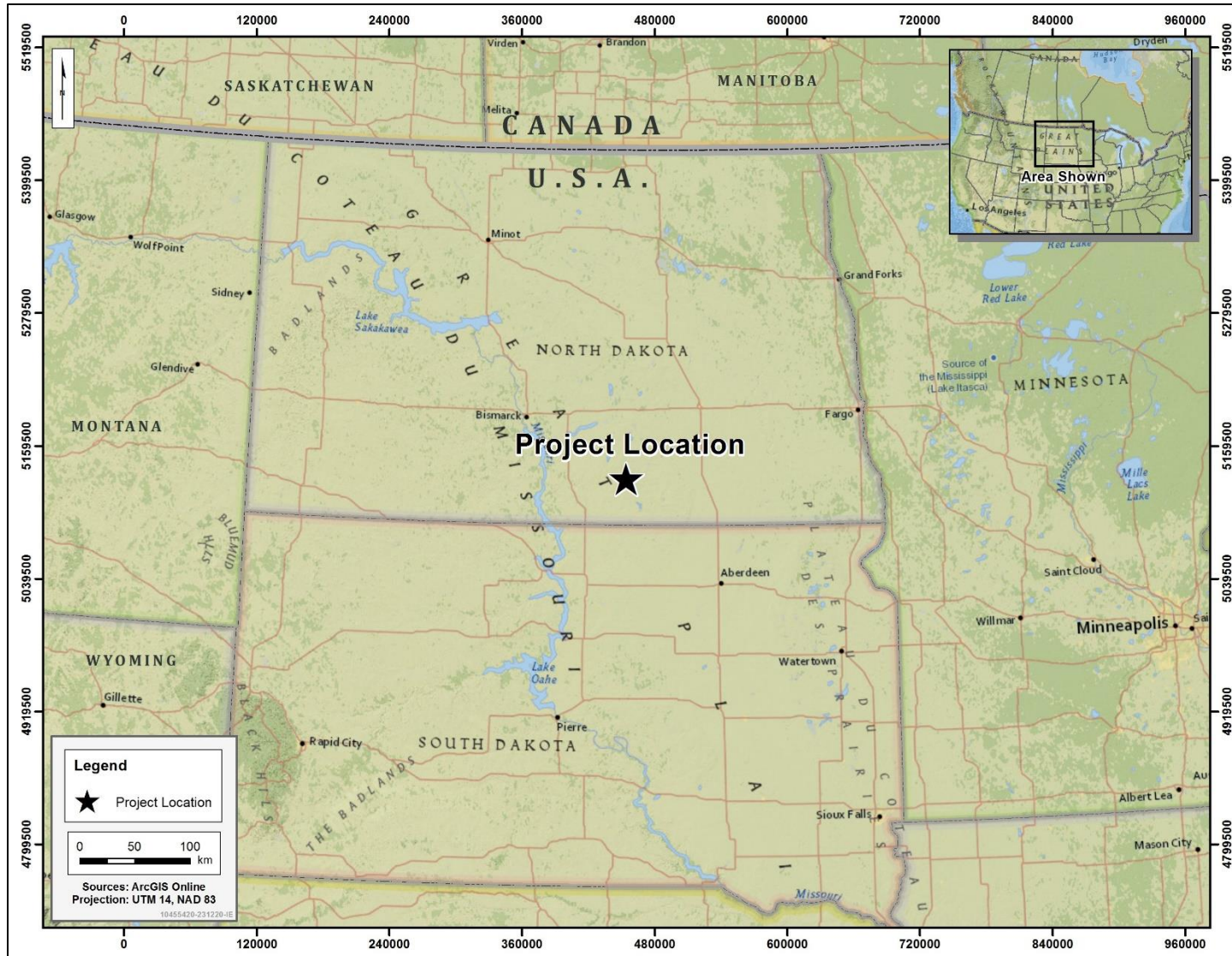


Figure 1 Project Vicinity

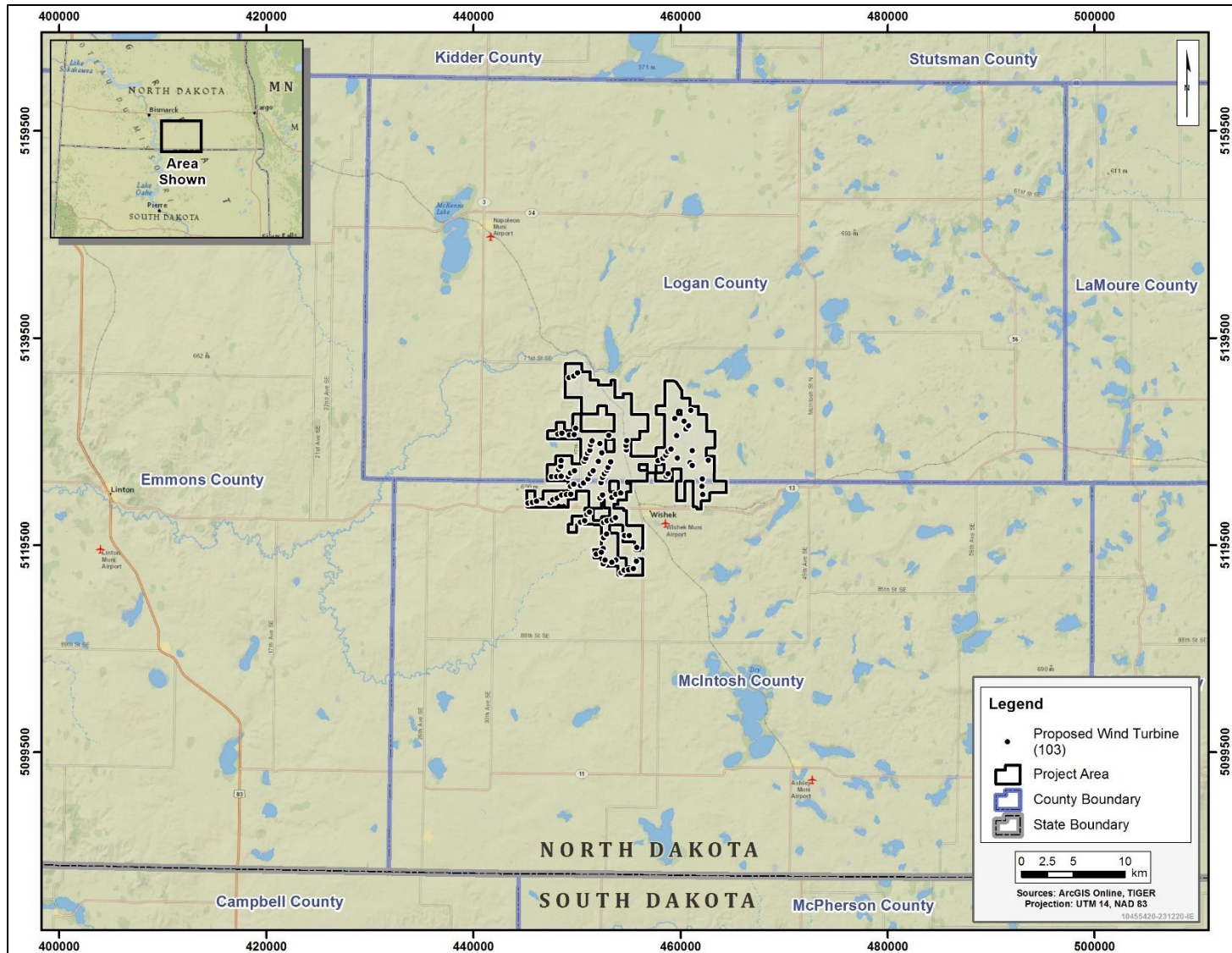


Figure 2 Project Area and Turbine Layout



Memo to:

Mr. John McFall
U.S Department of Commerce,
National Telecommunications
Information Administration

From: DNV Energy USA Inc

Date: 11 January 2024

Prep. by: David De Caro,
Midwest Permitting Manager,
Environmental and Permitting Services

Submittal of the Badger Wind Farm For Review by Federal Agencies

Dear Mr. McFall,

I am submitting details for the Badger Wind Farm (the "Project") to the National Telecommunications Information Administration for review by federal agencies. The Project details are included below in the requested format.

If you have any questions or need additional information, I can be reached at david.decaro@dnv.com, or 1-302-463-9018.

Best Regards,

David De Caro



Date: January 11, 2024

Type of Notification: New

Project: Badger Wind Farm
County(ies): Logan and McIntosh
State: North Dakota

Project Sponsor:
 Badger Wind, LLC

Sponsor Contact:
 Andrew Krieger
 401 N Michigan Ave, Suite 501, Chicago, IL 60611
 akrie@orsted.com

Turbine Description:

Number of Turbines: 103 (up to)
 Turbine Hub Height AGL (meters): 89
 Turbine Blade Diameter (meters): 63.5
 Max Blade Tip Height AGL (meters): 152.5

Turbine Locations:

Structure ID	Latitude (N)	Longitude (W)
1	46:22:20.683	099:39:036.292
2	46:22:26.450	099:39:013.799
3	46:22:36.235	099:38:057.203
4	46:19:21.860	099:39:032.832
5	46:19:23.095	099:39:009.558
6	46:17:10.216	099:40:051.164
7	46:17:10.705	099:40:028.506
8	46:17:11.414	099:40:006.924
9	46:17:11.141	099:39:036.216
10	46:17:22.672	099:39:025.513
11	46:17:29.710	099:39:007.135
12	46:17:58.632	099:38:023.208
13	46:18:08.906	099:38:017.160
14	46:18:24.502	099:38:008.876
15	46:18:33.858	099:37:058.933
16	46:18:51.365	099:37:056.377
17	46:19:03.101	099:37:049.732
18	46:18:55.159	099:37:014.570
19	46:19:21.140	099:36:033.293
20	46:16:41.264	099:39:025.484
21	46:16:47.701	099:39:010.469
22	46:16:42.823	099:38:039.570
23	46:16:51.906	099:38:026.264
24	46:17:05.014	099:38:005.622
25	46:17:20.746	099:37:056.269
26	46:17:30.635	099:37:043.201
27	46:17:59.114	099:37:019.222
28	46:18:26.248	099:37:004.379
29	46:16:52.885	099:37:007.910
30	46:17:09.416	099:37:000.808
31	46:17:21.030	099:36:052.290
32	46:17:31.423	099:36:041.656
33A	46:17:41.395	099:36:036.673
34	46:17:58.409	099:36:024.098
37	46:18:36.158	099:35:014.946

Structure ID	Latitude (N)	Longitude (W)
38	46:18:50.666	099:35:016.130
39	46:19:05.398	099:35:011.940
40	46:14:48.851	099:38:037.720
41	46:14:53.488	099:38:019.561
42	46:15:13.374	099:38:009.424
43	46:15:21.280	099:37:057.698
46	46:16:05.300	099:37:012.374
47	46:16:14.405	099:37:000.095
48	46:16:06.467	099:36:017.960
49	46:16:17.612	099:35:059.532
54	46:18:03.629	099:32:051.086
55	46:18:10.120	099:32:028.198
56	46:18:21.197	099:32:015.403
57	46:18:32.573	099:32:007.850
58	46:18:40.226	099:31:052.540
59	46:19:21.396	099:31:026.659
60	46:19:43.252	099:30:046.318
61	46:19:53.000	099:30:033.311
62	46:20:07.386	099:30:054.212
63	46:20:15.364	099:31:035.688
64	46:20:40.960	099:30:023.605
65B	46:14:48.250	099:36:054.785
66B	46:14:54.042	099:36:038.318
67B	46:14:56.659	099:36:014.857
68B	46:15:03.704	099:36:000.364
70A	46:17:13.942	099:32:013.906
71	46:17:22.668	099:32:004.783
72	46:18:11.585	099:31:024.074
73	46:17:57.721	099:30:026.118
73B	46:17:49.085	099:30:015.523
74	46:18:34.394	099:30:018.529
75	46:18:05.983	099:29:003.685
76	46:13:27.286	099:36:054.302
77	46:14:00.211	099:36:053.222
78	46:14:12.041	099:36:040.000
79	46:14:08.383	099:35:019.558
80	46:14:08.527	099:34:057.241
81	46:13:30.817	099:34:024.539
83	46:16:17.504	099:29:027.679
84	46:16:43.313	099:29:031.182
85	46:17:07.001	099:29:029.990
86	46:19:24.092	099:40:023.646
87	46:19:27.271	099:40:006.006
88	46:19:42.895	099:39:003.103
89	46:17:33.216	099:40:019.060
90	46:17:43.674	099:40:008.998
91	46:18:00.396	099:40:008.220
92	46:15:46.994	099:42:035.615
93	46:15:49.381	099:42:016.355
94	46:15:52.740	099:41:056.778
95	46:15:48.532	099:40:057.256
96B	46:15:58.201	099:40:043.828
97	46:16:03.464	099:40:025.018
98	46:16:14.239	099:40:005.527
99	46:16:14.725	099:39:043.153
105	46:16:21.000	099:35:037.424
106	46:13:09.422	099:37:026.076
107	46:12:39.139	099:36:054.230
108	46:12:50.980	099:36:045.727
109	46:12:50.681	099:35:058.027



Structure ID	Latitude (N)	Longitude (W)
110	46:12:11.606	099:35:033.475
111	46:12:19.382	099:35:020.587
113	46:12:21.006	099:35:000.820
114	46:12:24.556	099:34:038.644
115	46:12:48.532	099:34:025.313
116	46:16:16.594	099:39:022.525
118	46:13:15.481	099:37:002.618
119	46:12:43.391	099:36:016.427

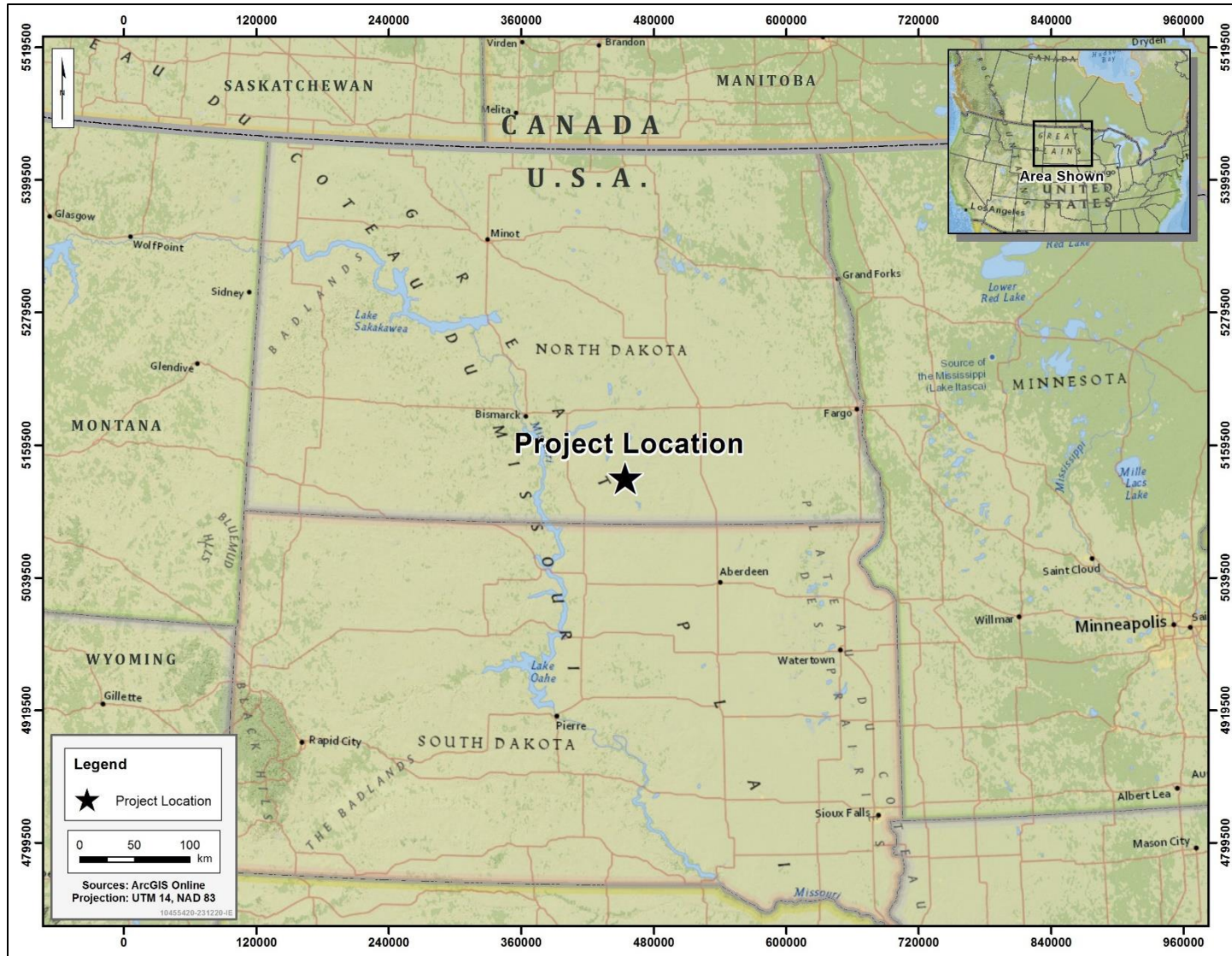


Figure 1 Project Vicinity

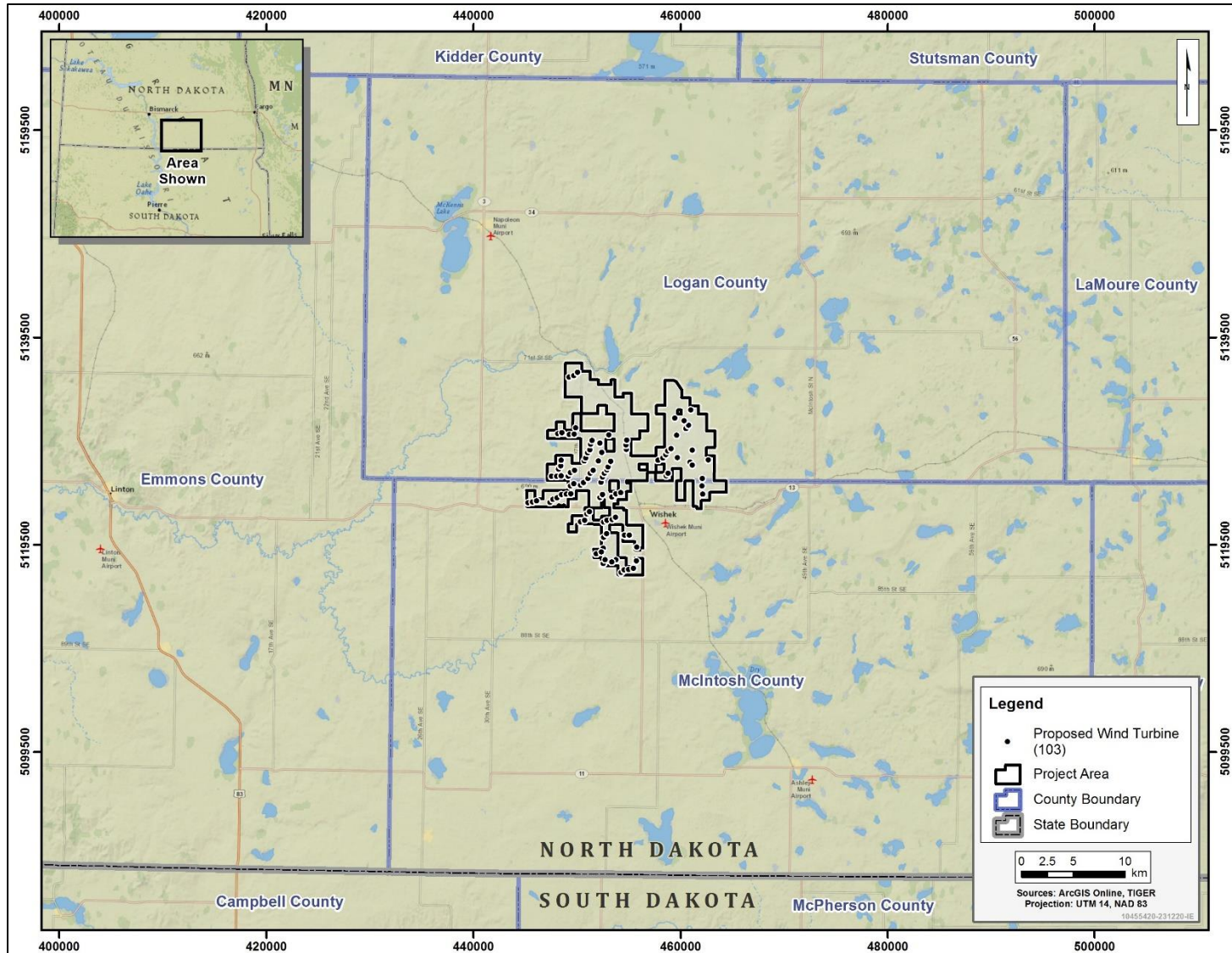


Figure 2 Project Area and Turbine Layout

From: [Walker, Felicia](#)
To: [Evans, Ian](#)
Cc: [Wallace, Erin](#); [De Caro, David](#)
Subject: Badger Wind Farm - Submittal for NTIA Review
Date: Wednesday, January 31, 2024 11:23:09 AM
Attachments: [10455420-HOU-R-04-A Badger Wind Farm NTIA 240111 Coords.xlsx](#)
[10455420-HOU-R-04-A Badger Wind Farm NTIA 240111.pdf](#)
[Wind Turbine Template update 2023 .pdf](#)

Caution: This email originated from outside of the **DNV Organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Ian,

I would like to process this wind turbine notification, but I have some questions. I have a developer in my listing with the company name of DNV ENERGY SYSTEMS CANADA, is your company the same company? Please provide company address.

Clarification is needed on who is initiating this request Ian Evans or David De Caro on the wind turbine request letter.

I have attached the wind turbine template for your future submissions.

Felicia Walker
NTIA/WIND FARMS & WSR-88D
1401 Constitution Ave. NW
Washington, DC 20230
202-482-4589
fwalker@ntia.gov

From: Evans, Ian <White Rock >
Sent: Friday, January 19, 2024 9:28 AM
To: McFall, John <JMcFall@ntia.gov>
Cc: Wallace, Erin <Erin.Wallace@dnv.com>; De Caro, David <David.Decaro@dnv.com>
Subject: Badger Wind Farm - Submittal for NTIA Review

Dear Mr. McFall,

I am submitting details for the Badger Wind Farm to the National Telecommunications Information Administration for review by federal agencies. See the attached pdf. The coordinates are included in the pdf but I have also attached an Excel version in case that is more convenient for you.

Work-life balance is important! I do not expect you to respond to, or take action on this email outside of your normal working hours.

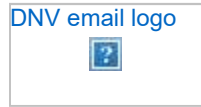
Best regards,

Ian Evans (he/him/his)

GIS Analyst
Energy Systems

DNV Canada Ltd.
ian.evans@dnv.com

dnv.com | [LinkedIn](#)



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From: [Evans, Ian](#)
To: [Walker, Felicia](#)
Cc: [Wallace, Erin](#); [De Caro, David](#)
Subject: RE: Badger Wind Farm - Submittal for NTIA Review
Date: Thursday, February 1, 2024 8:44:31 AM

Hello Felicia,

The company name is DNV, which operates under different legal entities depending on the jurisdiction. I can confirm DNV Energy USA Inc (named in the letter) and DNV Energy Systems Canada (from your records) are legal entities for the same company.

The legal entity making this submittal on behalf of the project sponsor is **DNV Energy USA Inc**, which is named in the submitted letter. The address is:

1400 Ravello Drive
Katy, Texas 77449
United States

David De Caro is initiating this request. I was assisting him on this, but I can confirm his name should be on the letter.

Thank you for providing the revised template. I did a quick check and it seems to match the older template we have on file. The main difference appears to be the updated contact information. Therefore I don't believe any revisions to the submittal would be required, though please let me know if you need any changes or need anything clarified.

P.S. DNV Energy Systems Canada is actually an older legal entity for DNV in Canada. The current entity is called DNV Canada Ltd. I included this information in the postscript rather than the main part of the message because I think it is tangential information for you. **DNV Energy USA Inc** is making the submittal, rather than a Canadian entity.

Work-life balance is important! I do not expect you to respond to, or take action on this email outside of your normal working hours.

Best regards,

Ian Evans (he/him/his)
GIS Analyst - Energy Systems

From: Walker, Felicia <FWalker@ntia.gov>
Sent: Wednesday, January 31, 2024 1:22 PM
To: Evans, Ian <Ian.Evans@dnv.com>
Cc: Wallace, Erin <Erin.Wallace@dnv.com>; De Caro, David <David.Decaro@dnv.com>
Subject: Badger Wind Farm - Submittal for NTIA Review

Caution: This email originated from outside of the **DNV Organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Ian,

I would like to process this wind turbine notification, but I have some questions. I have a developer in my listing with the company name of DNV ENERGY SYSTEMS CANADA, is your company the same company? Please provide company address.

Clarification is needed on who is initiating this request Ian Evans or David De Caro on the wind turbine request letter.

I have attached the wind turbine template for your future submissions.

Felicia Walker
NTIA/WIND FARMS & WSR-88D
1401 Constitution Ave. NW
Washington, DC 20230
202-482-4589
fwalker@ntia.gov

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Sent: Friday, January 19, 2024 9:28 AM
To: McFall, John <JMcFall@ntia.gov>
Cc: Wallace, Erin <Erin.Wallace@dnv.com>; De Caro, David <David.Decaro@dnv.com>
Subject: Badger Wind Farm - Submittal for NTIA Review

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Work-life balance is important! I do not expect you to respond to, or take action on this email outside of your normal working hours.

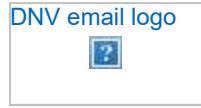
Best regards,

Ian Evans (he/him/his)

GIS Analyst
Energy Systems

DNV Canada Ltd.
ian.evans@dnv.com

dnv.com | [LinkedIn](#)



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Appendix D
Agency Correspondence
U.S. Army Corps of Engineers

Badger Wind, LLC
February 2024

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DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504-7565

December 29, 2023

NWO-2021-01889-BIS

Orsted
Attn: Ms. Amanda Coletti
401 North Michigan Avenue, Suite 501
Chicago, Illinois 60611

Dear Ms. Coletti:

This is in response to your solicitation letter received on December 27, 2023 requesting Department of the Army (DA), United States Army Corps of Engineers (Corps) comments on the proposed Badger Wind project. The project is located throughout Logan and McIntosh Counties, North Dakota.

U. S. Army Corps of Engineers Regulatory Offices administer Section 404 of the Clean Water Act (Section 404). A Section 404 permit would be required for the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Based on the information contained in your letter, the Corps has determined that your proposed project may need a Clean Water Act Section 404 permit. The permit application and instructions for completing the application are enclosed and may also be found at: <http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit>. Be sure to accurately describe all proposed work and construction methodology. Once the application is complete, mail it to the letterhead address or to the email address (preferred) below.

The North Dakota Regulatory office prefers that all submissions are sent electronically to the following email address: CENWO-OD-RND@usace.army.mil instead of a hard copy by mail. Please split large attachments (>25 MB) into multiple emails if needed.

Please refer to identification number **NWO-2021-01889-BIS** in any correspondence concerning this project. If you have any questions, please contact Hadden Carlberg at U.S. Army Corps of Engineers, North Dakota Regulatory Office, 3319 University Drive, Bismarck, North Dakota 58504-7565, by email at Hadden.J.Carlberg@usace.army.mil, or telephone at (701) 255-0015 ext. 2012. For more information regarding our program, please visit our website at <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota.aspx>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Soiseth". The signature is stylized and written in a cursive-like font.

for Benjamin N. Soiseth
Chief, North Dakota Section

Enclosure

Appendix D
Agency Correspondence
U.S. Fish and Wildlife Service

Badger Wind, LLC
February 2024

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Orsted

Christopher Farmer
Andrew Krieger
Mark Crowl
Ellen Crivella
Nicholas Gebauer

U.S. Fish and Wildlife Service (USFWS)

Heidi Riddle

North Dakota Game and Fish Department (NDGFD)

Bruce Kreft
Elisha Mueller

WEST

Kristen Chodachek
Martin Piorkowski

Introductions

Chris F, Principal Onshore Biologist for Orsted, went through introductions and introduced himself and the changes for the Badger/Orsted team. Each Orsted team member briefly introduced themselves and the role they have in the company. Mark C. is the Director of the Western Development team, and he oversees day-to-day management of the Badger Wind Project. Nicholas G. is a Senior Development Director with Orsted and is involved with the Badger Wind Project. Ellen C. is involved with permitting of all environmental Projects for Orsted. Andrew K. is the Western Permitting Manager and manages the Badger Wind Project. Ellen C. is Head of Permitting, Environmental, and Marine Affairs

Western EcoSystems Technology (WEST) followed Orsted introductions. Martin is a Project Manager out of Bismarck and previously worked on the Badger Wind Project. He has worked for wind Projects since 2003 and occasionally with solar. Kristen is also a Project Manager out of Bismarck and will be the Project Manager for the Badger Wind Project.

North Dakota Game and Fish gave brief introductions. Bruce Kreft is the Regional Supervisor for the Conservation Biologist Section with the NDGF. Elisha is a Conservation Biologist with NDGF for wind development.

Heidi Riddle was the only representative of the USFWS. She is currently a Biologist with the Ecological Services (ECOS) office in Bismarck, ND.

Meeting Goals/Agenda

- Introduce Orsted
- Present project and updates
- Discussion

Overview of Orsted

- Global company that started in Europe with offshore development.
- Has been working to expand into onshore and other renewables in the US and around the world.
- Aiming to maintain and lead sustainable development – net positive biodiversity goal by 2030.

Overview of the Project

- Originally permitted for:
 - 79 turbines, 251.6 MW within 31,500 acres
 - Turbine Type – GE 3.4 MW; Hub Height – 98m; Rotor Diameter – up to 140m
 - Interconnection agreement signed with MDU and MISO to interconnect to the Wishek Junction 230-kV substation
- Permits Secured:
 - Logan County has CUP
 - McIntosh – no CUP, but has road use agreements
 - State of ND – Certificate of Site Compatibility in 2022
 - FAA – DNH certificate obtained in 2022
- Biological and Site Characterization Surveys
 - Grasslands
 - Wetland delineation
 - Bat Acoustics
 - Whooping Crane Habitat Desktop Assessment
 - Avian Use Surveys
 - Raptor Nest Surveys
 - Sharp-tailed Grouse lek Surveys
 - Bird and Bat Conservation Strategy

Focus on Federally Protected Species

Eagle Use Surveys

- 2 years of EUS within original footprint; footprint changed throughout Project
- Year 1 - 34 BAEA (81 risk mins); 6 GOEA (21 risk mins); incidental observations
- Year 2 – 35 BAEA (76 risk mins); 6 GOEA (26 risk mins); incidental observations

Eagle Nests

- Two BAEA nests within the Project for 2 years of survey
 - One occupied active; failed (2020)
 - One occupied, active (new in use nest in 2021)

Updated Layout and Technology

Recent Updates

- Project is expanding to the WEST and South
- Increase from 79 locations to 106 total locations
- Project capacity will stay the same at 250 MW
- Proposing to use GE 2.8 MW machines rather than GE 3.4 MW turbines
- GE 2.8 – hub 89m and Rotor 127m
- GE 3.4 MW – hub 98 m and Rotor 140m
- Considering interconnecting to a different location through SPP system

Bruce inquired why Orsted is using a smaller machine. Mark responded it is in part due to availability with the supply constraints for when they plan to construct, and the smaller turbine provides better energy for the Project and makes it more economically competitive.

Elisha inquired if any of the previously permitted turbines will be removed or if the new proposed turbines are additions. Andrew responded they are in addition to what was previously permitted.

Expanded Footprint

Orsted showed the proposed expanded footprint and that they are avoiding sensitive resources, including unbroken grasslands, by expanding to the west and south, as grasslands are most prevalent in the northeast. The current layout for the expansion area that Orsted has proposed will avoid direct impacts to unbroken grasslands. Additionally, Orsted has reviewed waterbody data and is working to avoid impacts as much as possible. Similarly, water resources are less dense as move southwest.

Additional Planned Studies and Documents

- Grasslands – showed grasslands not surveyed to date within the expansion area; will conduct impact calculations once field verify data in late August
- Wetland delineations – Proposing to conduct field surveys in September for the expansion area only
- Cultural Resources – Proposing to conduct cultural surveys in September for the expansion area only
- Eagle Use Surveys – one year of surveys, not two years; currently have time for one additional year of surveys to provide further information about eagles in the Project area
- Raptor and Eagle nest surveys for new turbines – 1-mile buffer for non-eagle raptors and 2-mile buffer for eagles
- Develop a whooping crane contingency plan
- Develop an EMP or ECP
- Update BBBS with current surveys

Andrew asked for Heidi's feedback on proposed surveys.

Heidi stated her comments are preliminary and she would like this PowerPoint or Project description to review further.

Heidi inquired if Orsted plans to conduct further bat habitat or bat surveys (acoustics or mist netting). Chris responded average woodlot size is 1.4 acres, so not pursuing northern long eared bat (NLEB) mist netting or acoustics. Based on previous acoustic data, primarily large bats were recorded. Chris mentioned there were a few little brown bats (LBBA) recorded during acoustics; however, they are currently not listed. Heidi stated that if there is little to no habitat, then additional surveys are likely not necessary. She mentioned the recent uplisting of NLEB and there are likely to be other species on the horizon that may be listed. Heidi would like Orsted to run the Project through IPaC since updates have been made for NLEB ranges and feels there may be other species relevant information for the Project. Chris responded that Orsted will run the IPaC query on the Project to determine if new information is available.

Heidi inquired about Dakota skipper (DASK) from historical records. Chris mentioned it is outside of the DASK range.

Heidi inquired whether the whooping crane assessment has used the Niemuth et al. model for whooping crane (WHCR) mapping. Chris responded he would review the report and provide additional follow-up to this question via email. *[September 5, 2023 update, Orsted emailed Heidi to confirm that the Niemuth et al. model was indeed used for the whooping crane assessment.]*

Heidi inquired about whether Orsted would go back in front of the Public Service Commission (PSC). Andrew stated yes, they will be submitting an amendment to the PSC for the expanded Project area. Andrew stated there is an update to the Conditional Use Permit (CUP) for Logan County. Elisha inquired as to when Orsted will submit the amendment to the PSC and Andrew stated fourth quarter 2023.

Bruce stated a bill was passed to mitigate impact assessments; they started to write draft administrative rules which are not finalized. In proposed rules, part of the conditions is prior to applying to the PSC, developers can reach out to the Department of Agriculture and propose a mitigation plan with the application, or they can ask the Department of Agriculture to develop a mitigation plan. Mark stated they are aware of this and have begun conversations regarding this.

Bruce mentioned the Meadowlark initiative and that they are pushing as a potential mitigation tool to use. Mark mentioned they have been discussing internally. Bruce mentioned that he is aware that Orsted has been communicating with North Dakota State Trust as well.

Bruce has a comment on future studies. He recognizes that Orsted is moving out of grassland areas but noticed that lek surveys are not proposed. Andrew stated they have reviewed turbine locations and currently none of their turbines are within grasslands; however, some are within 2 miles of leks. Orsted's understanding was that if the turbine was located outside of grasslands, the turbines are 'safe'. Elisha agreed that the NDGF is trying to protect grasslands since it is grouse nesting habitat, so grasslands is where protection should be and should be avoided.

Elisha would like to see an Eagle Conservation Plan/Eagle Management Plan (ECP/EMP) as early as possible since the surveys will potentially be ongoing with the permit. Elisha needs to draft her letter 30 days in advance of the PSC hearing. Chris stated they can only have the commitment to have an ECP/EMP by October 2023, not an actual document. Chris stated they will update the Bird and Bat Conservation Strategy (BBCS) and provide to the agencies.

Nicholas inquired about state regulations for impact analysis and what this means. Bruce stated it will be out for public review soon. Bruce mentioned the NDGF will stay involved in the process early on. Elisha stated until regulations are published, NDGF will be working with acres for calculations of mitigation and voluntary offsets. This was the commitment discussed prior to the PSC approval for the Project. Elisha stated if the commission cannot commit to reaching acreage goals with the dollars, this is a tool that leaves the toolbox, and they will be providing different letters to the PSC in the future. Currently Elisha would like to see the impact calculations for the additional project areas. Heidi stated USFWS will defer to NGDF for grassland impacts. But will continue to make recommendations for voluntary impact offsets. Bruce encourages the public to be a part of the process for this new ruling.

**Badger Wind
Call with USFWS KULM
1/24/2024**

Attendees:

USFWS, Kulm Wetland Management District: Wayne Henderson

Ørsted: Amber Minor, Andrew Krieger, Mark Crowl, Amanda Coletti, Samuel Hinebaugh, Kevin Thomas, Sonia Lopez, Ayesha Vohra, Carl Poole, and Taelor Chism

DNV: David DeCaro

Fredrickson: Jeanne Tracy and David Streier

Amber thanks Wayne for his time and introduces the different groups which are joining the call included Orsted's GIS, Engineering, Real Estate and Development teams and consultants with DNV and Fredrikson Law

Amber: To start with I'd like to revisit some of the broader items we discussed in our last meeting. It is our understanding we can bore under grassland easements w/o formal agrmt and can be done with temporary disturbance agreement and in terms of maintenance or later tasks necessary, we can do so by obtaining a special use permit. Is this correct?

Wayne: That is correct.

Amber: Do you have a standard template or examples you could share with us?

Wayne: We do it on a case-by-case basis, no examples right now. It's a long process and tailored for individual requests, I can't think of any that fall under this category.

Amber: How long does the approval process take and is this done entirely within your office or are other parts of the agency involved?

Wayne: I will do it. It takes little bit of time. Typically, a temporary permit is used until the compatibility survey is complete.

Amber: For a temporary disturbance permit, how long can we anticipate this approval process taking?

Wayne: 35-40 days usually. The sooner, the better.

Andrew: Are there any other steps needed once payment is secured by the applicant?

Wayne: Once I issue the permit, there is nothing else to do on your part. I will outline the guidelines for the temporary permit. Before permit I need a scope of work from Orsted.

Andrew: Do you have a template for a "Scope of Work" or could you describe what you're looking for?

Wayne: No, just map of where you are planning, how much area you will disturb, and how long you plan on being there.

Andrew: Do you have any guidance for information on boring collection line under grassland?

Wayne: Boring underneath doesn't need a permit. It's if there are any changes or repairs in the future where you need access from the surface.

Andrew: Can we use special use permits for crane paths, and assemblies, repairs on collection line underneath one of their easements?

Wayne: We can do crane paths after doing compatibility.... Leveling hills won't fly with upper management.

Amber: When applying for these permits, do we create scope of work for each permit area or can this be handled in one document?

Wayne: If they are different, I want different permits. If the same scope of work applies to both, we can just do it on one.

(Andrew providing context, presents slideshow on project, provides details on what is driving conversation for today and that we are expanding footprint of project and doing some shifts from previous infrastructure project area, that is why some things are different since last time we spoke with Kulm WMD. Andrew explained we switched to a smaller turbine model which explains some of the shifting. Andrew states there is no Fish and Wildlife areas in these expanded infrastructure areas. Also, all of the easements is under the heading of the easement, just talking about easements today)

Andrew: Project did received CSC back in 2022 from ND. Re-doing entire permitting if you will due to expansion. Plan to submit CSC amendment next month.

Andrew to group: Any questions?

Wayne: Nope, not from me

Andrew: *Showing GIS screen of map.* These are the wetland easements in our project area and the crossings. I'd like to share our current layout and get your feedback on these crossings.

Showing crossings spreadsheet

Andrew: First one, collection line, plans to bore under easement. Wouldn't require SUP.

Wayne: Correct. Would appreciate or day or two notice before doing it. No letter or real estate agreements needed, just notice.

Andrew: If we were to do maintenance on the easement we would need an SUP. This second one is a crane path and would require SUP

Wayne: Correct. To clarify, SUP, is not going to distract from purpose of the easement. *He needs a scope of work and compatibility and NEPA. Wayne suggests NEPA not as hard as it sounds and recommends we find category exclusion in NEPA for temporary use.*

Andrew requests list of category exclusions

Wayne: I don't have one but you can just Google it for cat exes.

Andrew: I'll shoot you an email to confirm.

Wayne: Sure. All wetland easements also have a grassland easements. *Wayne questions the crane path and asks if there is no way to make it go straight across.*

Andrew: That's a great question. We are probably avoiding topography features. Sonya from engineering, do you know why we have it this way?

Sonya: For this one, I don't have the answer right now, but most likely avoiding topography issues. I'll double check on it.

Andrew: We will see if we can straighten it out.

Wayne: It would just make it easier to justify. The more you can stay off the easement the better.

Wayne: If boring under wetland, there is no easement, I recommend you bore under wetland. A crane path can't go through wetland.

Andrew confirms we are boring underneath the wetlands. Wayne explains there was new work done for FWS for wetland areas.

Wayne – Shapefiles, did I share them with you? I'll look into it and send you the wetland areas so you have those easements.

Andrew: Last area to review, this set colored in orange does have a grassland easement and Badger Wind does have priority over Fish and Wildlife Services.

Wayne: I believe that's just a wetland easement, your easement supersedes ours so you have first right. Although I'd like to have a conversation if you impact the wetland. You guys were there first. There's nothing we can do about it.

Andrew: We would give you a courtesy notice when we go through there.

Wayne: Yes, I would appreciate that.

Andrew discusses temporary impacts, closely adjacent to an easement, and a temporary disturbance corridor. I mention that to say whether we can avoid easements with our temporary impacts. Addressing other linear features that run along easements.

Wayne: If there is no wetland in that temporary area, you're good. If there is a wetland, we will need another meeting.

Andrew: I think that's it for the meeting.

Andrew addresses group asking if there are any more questions on the call.

Wayne: When do you anticipate starting construction?

Mark Crowl explains Badger Wind is planning for Q4 2025 or Q1 2026 for start of construction.

Andrew: Thanks for asking that Wayne.

Andrew confirms the previous timeline being 30-45 days overall for your processing of SUPs.

Wayne: The more time you can give me, the better off we are.

Andrew: Any more questions?

Sonia: In terms of obtaining SUP, any type of leveling wouldn't fly? Is there anything else that's not allowed?

Wayne: Any surface disturbance would require a SUP. A shovel? No, but crane paths would. That's where I would need a scope of work to address that in my paperwork. Any reclamation, if you reclaim crane paths at end it will be a lot easier than if you are leaving them.

Andrew: It sounded like leveling is your rule of thumb. Are there any other obvious things we can't do?

Wayne: I can't think of any off top of my head, give me time to think and especially after I see scope of work.

Andrew: If we provide a draft scope of work, can you take a look and provide feedback?

Wayne: Yes.

David Streier: On other wind projects, we have been asked by financing to obtain something like a LONO. If asked by a lender would you be open to a letter or documentation proving you don't need an easement to cure title?

Wayne – Yes.

Andrew wraps up meeting.

Meeting Minutes

Meeting **Badger Wind, U.S. Fish and Wildlife Service (USFWS), North Dakota Game and Fish (NDGF), and North Dakota Department of Agriculture (NDAA) Environmental Studies and Mitigation Discussion**

Meeting Date 30 January 2024

Virtual Meeting

Participants

Heidi Riddle – Fish and Wildlife Biologist, USFWS
Elisha Mueller – Conservation Biologist, NDGF
Bruce Kreft – Conservation Supervisor, NDGF
Dutch Bialke – General Counsel and Senior Policy Advisor, NDDA
Adam Miller – Conservation Expert, NDDA
Mark Crowl – Development Director, Orsted
Andrew Krieger – Permitting Manager, Orsted
Chris Farmer – Principle Onshore Biologist, Orsted
Clayton Derby – CEO, WEST
Kristen Chodachek – Project Manager and Wildlife Biologist, WEST

Minutes

Historical Layout / Footprint of the Project

Originally permitted with the PSC in November 2022 for:

- 79 total positions
- Project capacity – approximately 252 MW
- Turbine Type – GE 3.4 MW; hub height – up to 98m and rotor diameter – up to 140m
- COD 2025
- Interconnection agreement signed with MDU and MISO to interconnect to the Wishek Junction 230-kV substation

Proposed Updates

- 103 total positions; will build up to 93 turbines (with 10 alternates)
- Project capacity – approximately 252 MW
- Turbine Type - GE 2.8 MW; hub height – up to 89m and rotor diameter – up to 127m
- COD – 2026
- Interconnection agreement signed with MDU and MISO to interconnect to the Wishek Junction 230-kV substation

Historical Permitting Overview

Local Permitting:

- McIntosh County– no zoning permits are required; signed road use agreement on March 24, 2022
- Logan County granted CUP on May 11, 2022 and signed Road Use Agreement on June 27, 2022
- Currently amending and updating the Logan County CUP to reflect new footprint – submitted on November 30, 2022; currently in review

State of North Dakota Permitting:

- Certificate of Site Compatibility (CSC) issued on November 30, 2022
- Anticipate submitting CSC amendment in February 2024

Additional Studies Completed in 2023

Grasslands

- Grassland mapping in expansion area in August 2023
- No turbines or pads within unbroken grasslands
- One alternate turbine that is within broken grassland and within 2 miles of a sharp-tailed grouse lek (unlikely to build this alternate turbine location)

Bird and Bat Conservation Strategy

- Updated in January 2024

Whooping Crane Contingency Plan

- In progress

Bald Eagle Nest Verification

- In-use nest identified in 2019; nest structure missing in 2021 and 2024 field verification
- New in-use nest identified in 2021; present in 2024; nest is greater than 2 mi from the closest turbine

Wetland Delineation and Mapping

- Completed for the expansion area and shifted infrastructure in Fall 2023

Cultural Resources Survey

- Completed for the expansion area and shifted infrastructure in Fall 2023

Ongoing and Planned Studies

Eagle Use Surveys

- One year of surveys; began in August 2023 and will continue through July 2024 in expansion area to provide information on eagle use patterns

Eagle Nest Surveys

- Spring 2024 for entire Project Area

Eagle Management Plan or Eagle Conservation Plan

- Planning to develop one of these in 2024

Impact Assessment

Indirect Wetland Impacts

- Calculated impacts on the 93 turbines Badger Wind intends to build (does not include alternates); this is the max number of turbines they plan to build and will submit for in the CSC application
- Used a 0.5 mile radius centered on turbines
- Final calculations will be based on turbines selected prior to construction; if turbines change for some reason, impacts will be addressed accordingly

Indirect Grassland Impacts

- Calculated impacts on the 93 turbines (does not include alternates) that Badger Wind intends to build; this is the max number of turbines they plan to build and will submit for in the CSC application
- Evaluated indirect impacts to unbroken grasslands within 300 m radius centered on turbines

- Final calculations will be based on turbines selected prior to construction; if final turbines constructed change for some reason, impacts will be addressed accordingly

Badger Wind Offset Calculations

Assumptions

- Based on 93 turbine locations
- Grasslands – 300-m buffer radius centered on the turbine
- Wetlands – 0.5-mile radius centered on the turbine
- Final calculations will be based on final, selected turbines to be provided prior to construction

Calculations

- Based on 378.6 ac of grassland habitat
- Based on 74.9 ac of wetland habitat

Impact Notes

- No turbines or turbine pads are within unbroken grasslands; one alternate turbine is placed in an unbroken grassland and is within two miles of field identified sharp-tailed grouse lek. This is an alternate turbine that Badger Wind is unlikely to build.

Discussion

Andrew asked for NDGFD and USFWS feedback on proposed surveys.

- Heidi mentioned she has not seen the revised IPaC report and will review as soon as she receives. Andrew stated he will send again.

Bruce inquired as to why Orsted wouldn't use alternate turbine locations that appear to have less impact offsets in the northeast.

- Andrew explained that primary turbine locations are selected based on how energetic the turbines are. The alternate turbine locations in the central location of the Project Area are in an area with a dip and as such, wind is not the same quality as the other areas.
- Chris stated other non-biological constraints (i.e. dwellings) are considered with turbine location selection.
- Andrew noted that all turbine locations are permitted with the PSC and as such they have a backup option if needed.

Heidi inquired about other constraints; is it a County specific regulation (i.e., set back from homes)?

- Andrew stated both County and State setbacks. Orsted tries to consolidate all setbacks to create a global "buildable area" to determine where they can site turbines.

Andrew inquired with NDGFD if they had any feedback on impact calculations.

- Elisha stated Sandy (GIS expert with NDGFD) ran the analysis using their desktop data. NDGFD calculated slightly different acres because they used desktop grasslands data (rather than the field verified data used by Badger Wind), but these differences are not unusual, and NDGF accepts Badger Wind's calculation as accurate.

Andrew asked if Badger Wind could provide any further information to help agencies evaluate the Project.

- No comments.

Elisha asked about alternate turbines and offsets; typically there is a trigger to when offsets would be expected or the timeline, especially if delays occur. Turbines 1, 2, and 3 in the northwest region of the Project Area have a lot more grass around them. The impact might look different if Orsted were to not use other turbines and replace with these turbines. Is there a way to include this thought into the commitment.

- Andrew stated Badger Wind will have a final calculation prior to construction and compare to what is shown in the PowerPoint. They will adjust impact calculations based on this analysis. Badger Wind proposed this approach earlier when speaking to North Dakota Department of Agriculture.

Elisha asked if the commitment for mitigation will be included in the BBCS.

- Andrew stated it can be.
- Dutch reiterated based on previous discussions, that any MOU that is entered upon between NDDA and Badger Wind will include these commitments.

Andrew inquired if memorializing the MOU and BBCS with this update, would suffice?

- Heidi stated, can reference the MOU with the NDDA within the BBCS and include a small amount of text in the BBCS. Heidi requested that a draft BBCS be provided for them to comment upon.

Andrew reiterated question from earlier – what other information Orsted can provide prior to submitting the CSC application or the PSC Hearing.

- There was no additional information requested.

Greg asked Dutch if offsets are restored in the Project Area and using willing landowners. Is it using some kind of trigger when the Project starts? This is important for the NDGFD and should be encapsulated in the MOU.

- Dutch replied that he anticipates the MOU for Badger will be substantially similar to Oliver IV, if not identical so that there is consistent treatment between the Projects. Any MOU that the NDDA and the Agricultural Commissioner enter into will not contain any surprises.

Andrew asked again if there were other questions or feedback?

- Chris mentioned the timing on the BBCS; may be delayed if Orsted is going to include the MOU language for impact assessments, depending on the timing of MOU completion.
- Elisha reminded all that NDGFD is required to provide a letter to the PSC 30 days prior to the public hearing.
- Andrew stated Orsted is hopeful to have the BBCS in a week for review by the NDGFD and USFWS. He mentioned the BBCS will be submitted as an appendix to the CSC amendment; however, it is a living document.
- Heidi stated the USFWS is not constrained to the 30 days prior to the hearing.
- Andrew stated Orsted will send the BBCS to the NDGFD and USFWS as soon as possible and would be happy to have another meeting to discuss these documents.

Appendix D
Agency Correspondence
Department of Defense

Badger Wind, LLC
February 2024

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From: [OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC](#)
To: [Evans, Ian](#)
Cc: [De Caro, David](#); [Wallace, Erin](#); [OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC](#)
Subject: RE: Badger Wind Farm - Request for DOD Siting Clearinghouse Informal Review
Date: Friday, January 19, 2024 12:16:08 PM
Attachments: [image001.jpg](#)

Ian,

Nope, not necessary. Completely understood. I'll get this update out right away.

As the person who presents the projects to the DoD, I just try to get the answers to any questions that I think I will be asked once I release the project.

Everything looks great. I should be able to handle it from here. Thank you and have a nice weekend.

Respectfully,

Dan Townes
Military Aviation and Installation Assurance Siting Clearinghouse
Office of the Assistant Secretary of Defense (Energy, Installations and Environment)
Desk: 571-372-8414 (*limited access/shared line*)
NIPR: daniel.w.townes.ctr@mail.mil

From: Evans, Ian <Ian.Evans@dnv.com>
Sent: Friday, January 19, 2024 2:08 PM
To: OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC <osd.pentagon.ousd-a-s.mbx.asd-eie-rp-sc@mail.mil>
Cc: De Caro, David <David.Decaro@dnv.com>; Wallace, Erin <Erin.Wallace@dnv.com>
Subject: RE: Badger Wind Farm - Request for DOD Siting Clearinghouse Informal Review

Hello Dan,

I can confirm that is indeed the only change. My rationale for sending you files that “entirely replace” the old ones was so that you would not need to do any consolidation of the old and new – you can just use the new ones.

However, If you'd prefer, I could send a kmz containing only the changed location.

Work-life balance is important! I do not expect you to respond to, or take action on this email outside of your normal working hours.

Best regards,

Ian Evans (he/him/his)
GIS Analyst - Energy Systems

From: OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC <osd.pentagon.ousd-a-s.mbx.asd-eie-rp-sc@mail.mil>

Sent: Friday, January 19, 2024 12:22 PM

To: Evans, Ian <lan.Evans@dnv.com>

Cc: De Caro, David <David.Decaro@dnv.com>; Wallace, Erin <Erin.Wallace@dnv.com>; OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC <osd.pentagon.ousd-a-s.mbx.asd-eie-rp-sc@mail.mil>

Subject: RE: Badger Wind Farm - Request for DOD Siting Clearinghouse Informal Review

Good afternoon Mr. Evans,

Thank you for the update.

On the request form, when you say “the only change is that turbine 74 has shifted approximately 125 ft to the southwest”, is that indeed the only change?

The reason I ask is that you also state that “the updated files entirely replace these files that I sent previously” and “this version completely replaces the version from December 22, 2023”. Are there any other changes to the project that I am missing? I checked with my colleagues and we did not notice any additional changes based on our comparison.

Please advise. Thank you.

Respectfully,

Dan Townes

Military Aviation and Installation Assurance Siting Clearinghouse

Office of the Assistant Secretary of Defense (Energy, Installations and Environment)

Desk: 571-372-8414 (*limited access/shared line*)

NIPR: daniel.w.townes.ctr@mail.mil

From: Evans, Ian <lan.Evans@dnv.com>

Sent: Friday, January 19, 2024 9:34 AM

To: OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC <osd.pentagon.ousd-a-s.mbx.asd-eie-rp-sc@mail.mil>

Cc: De Caro, David <David.Decaro@dnv.com>; Wallace, Erin <Erin.Wallace@dnv.com>

Subject: Re: Badger Wind Farm - Request for DOD Siting Clearinghouse Informal Review

Hello,

There has been a small change to the layout: T74 has shifted approximately 125 ft to the southwest.

I have attached an updated KMZ file and pdf form. The updated files entirely replace these files that I sent previously:

Old	New
10455420-HOU-R-05-A Badger Wind Farm DOD Clearinghouse_231220_DD.pdf	10455420-HOU-R-05-A Badger Wind Farm DOD Clearinghouse_240111.pdf
10455420-HOU-R-05-A Badger Wind Farm DOD Clearinghouse_231220.kmz	10455420-HOU-R-05-A Badger Wind Farm DOD Clearinghouse_240111.kmz

Work-life balance is important! I do not expect you to respond to, or take action on this email outside of your normal working hours.

Best regards,

Ian Evans (he/him/his)

GIS Analyst - Energy Systems

From: OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC
Sent: Thursday, December 28, 2023 9:08 AM
To: Evans, Ian
Cc: De Caro, David; Wallace, Erin; OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC
Subject: RE: Badger Wind Farm - Request for DOD Siting Clearinghouse Informal Review

Good morning Mr. Evans,

Your Informal Review request for the Badger Wind Farm project has been received. We will begin processing the request shortly.

Thank you for the opportunity to review the project.

Very Respectfully,

The Clearinghouse

DNV Canada Ltd.
ian.evans@dnv.com

dnv.com | [LinkedIn](#)



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January 26, 2024

Ian Evans
Badger Wind, LLC
401 N Michigan Ave; Suite 501
Chicago, IL 60611

Dear Mr. Evans,

As requested, the Military Aviation and Installation Assurance Siting Clearinghouse coordinated within the Department of Defense (DoD) an informal review of the Badger Wind Farm Project. The results of our review indicated that the wind project, located in Logan and McIntosh Counties, North Dakota, as proposed, will have minimal impact on military operations conducted in the area.

Please note that this informal review by the DoD Military Aviation and Installation Assurance Siting Clearinghouse does not constitute an action under 49 United States Code Section 44718 and that the DoD is not bound by the conclusion arrived at under this informal review. To expedite our review in the Obstruction Evaluation Airport Airspace Analysis (OE/AAA) process, please add the project number 2023-12-W-DEV-32 in the comments section of the filing. If you have any questions, please contact me at robbin.e.beard.civ@mail.mil.

Sincerely,



Robbin Beard
Deputy Director
Military Aviation and Installation
Assurance Siting Clearinghouse

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Appendix D
Agency Correspondence
North Dakota Geological Survey

Badger Wind, LLC
February 2024

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From: Anderson, Fred J. <fjanderson@nd.gov>
Sent: Tuesday, January 9, 2024 11:01 AM
To: Mark Crowl <MCROW@orsted.com>
Cc: Amanda Coletti <AMCOL@orsted.com>
Subject: N.D. Geological Survey Comments regarding the Proposed Updates to the Badger Wind Project Boundary

Mr. Crowl,

The North Dakota Geological Survey, a division of the North Dakota Department of Mineral Resources, appreciates the notification and opportunity to review and provide comment on this proposed wind energy project.

After careful review of the proposed project area boundary and revised expansion areas, as described in the comment solicitation letter sent to the N.D. Geological Survey on December 13, 2023, we would not note any geologic concerns within the proposed updated project boundary area.

Please contact our offices if there are any additional questions or comments regarding this review.

Regards,

Fred J. Anderson
Geologist, North Dakota Geological Survey

701.328.8000 (Survey Main Office) • 701.328.8037 (Office Direct) • fjanderson@nd.gov • www.dmr.nd.gov/ndgs



701.328.8020 (Front Office) • oilandgasinfo@nd.gov • www.dmr.nd.gov • 600 E Boulevard Ave, Dept. 405 • Bismarck, ND 58505

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Appendix D
Agency Correspondence
North Dakota Game and Fish Department

Badger Wind, LLC
February 2024

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NDGFD

Bruce Kreft – Conservation Supervisor
Elisha Mueller – Conservation Biologist

Ørsted

Mark Crowl – Development Director
Chris Farmer – Principal Biologist
Andrew Krieger – Western Permitting Manager

WEST

Martin Piorkowski – Consulting Ecologist/Project Manager
Kristen Chodachek – Wildlife Biologist/Project Manager

Introduction

Chris Farmer went through introductions and introduced team and the changes for the Badger/Ørsted team. Would like North Dakota Game and Fish Department (NDGFD) reactions and recommendations for the Badger Wind Project.

Chris – Introduced himself; worked for consultants prior to joining the development side; joined Ørsted recently; he is a subject matter expert.

Andrew Krieger – Western Permitting Manager; oversees Projects in the western US; decade of experience working with and for environmental agencies; has worked in offshore industry; worked in this position since May.

Mark Crowl – Project Development Director for Badger Wind; relatively new to the Ørsted organization. Has experience with US based developers in Midwest, from TX to ND. Will be involved in day-to-day management of Badger Wind.

Martin Piorkowski – Project manager out of Bismarck. Been with WEST for 6 years, five of which in ND. Has worked for wind Projects since 2003 and occasionally with solar.

Kristen Chodachek – Project manager out of Bismarck. Been with WEST for 15 years and has primarily worked on wind Projects throughout the Midwest and Southern Plains.

Bruce Kreft – fishery biologist for the last 24 years. Has worked on wildlife crossings with highways. Has been in this position for a couple of months; replacing Steve Dyke. He is here to learn and will lean on Elisha.

Elisha Mueller – Conservation biologist with NDGF for wind development.

Meeting Goals:

- Reintroduce Ørsted team and company.

- Overview of the Project and what has been done to date with a focus on the proposed expansion area.

Previous Survey Efforts

- a. Grassland Survey – 2021
- b. Wetland mapping – 2020 and 2022
- c. Bat Acoustic – summer/fall 2019
- d. Whooping Crane Habitat Assessment – 2021
- e. Bat Desktop Habitat Assessment
- f. Avian Use surveys – 2019 – 2021 (included eagle use; 3 whooping cranes observed)
- g. Raptor Nest Surveys 2019, 2020, 2021
- h. Sharp-tailed Grouse lek surveys – 2019
- i. Sharp-tailed Grouse conservation strategy – fall 2022
- j. Developed Bird and Bat Conservation Strategy (BBCS) – 2022

Path Forward for Expanded Footprint

Updated Layout and Technology – would like NDGF feedback.

- a. Ørsted securing lease agreements to the west; would like to expand the footprint of the Project towards the west and south of the currently permitted project.
- b. Ørsted showed the indicative turbines; but is still working on siting.
- c. Change from a 3.4 MW turbine to a smaller 2.8 MW turbine. Change would result in 106 turbines locations rather than 79 turbines as originally permitted. The plan would be to submit an Amendment to the Public Service Commission (PSC) for this change. Total nameplate capacity would be very similar to the original permit.
- d. Also looking at a change in point of interconnect in order to connect to Southern Power Pool (SPP).
- e. New turbines would be an amendment to the current permit from PSC and McIntosh permit.

Elisha inquired about what has been permitted if any construction had been completed or started; Andrew stated no construction; it is waiting until the newly proposed project footprint is permitted.

Elisha inquired about a new interconnect and whether there will be new transmission; Mark stated the collector sub would be adjacent to the existing substation; very short span.

Elisha inquired if new proposed turbines will be in unbroken grasslands and leased lands. Mark answered about lease status – all are on agreements that were previously acquired for original Permitted area or through a recent acquisition. Leasing and land control are fully completed and finished up.

Expanded Footprint and Grasslands

Ørsted showed the proposed expanded footprint and 2014 native grasslands layer – this is desktop layer and would need to be field verified. Desktop visual analysis shows the westerly and southern expansion of the footprint is away from concentrations of unbroken grasslands in the

north and east. Expansion is in areas of agriculture; confident in stating all new turbine locations will be in agricultural fields.

Bruce mentioned that grasslands are of importance, in particular native unbroken grasslands; they just wanted to verify the proposed turbine locations.

Ørsted showed turbines and NWI wetlands. Proposed turbine positions are not in dense wetland areas.

Elisha mentioned impact analysis; stated NDGF runs the impact analysis, and that the developer should also run the same analysis following the BMPs. She recommends they run the analysis even if the turbines are in cultivated land and then meet again with the NDGF. NDGF is mostly concerned with drafting and sending a letter to the PSC that will not be a surprise to Ørsted.

Additional Planned Studies and Docs

Looking for feedback from NDGF for proposed field studies needed in the expanded area for the amendment to the permit:

- Grassland assessment
- Cultural
- Wetland delineation
- Additional year of avian use surveys with focus on eagles (large birds only)
- Raptor nest surveys – within or before 6 months of construction (at least the spring prior to construction)
- Develop a whooping crane contingency plan
- Revise/update the BBCS
- Develop an Eagle Management Plan (EMP) or Eagle Conservation Plan (ECP) – depends on the results from the eagle use surveys

Andrew asked Bruce and Elisha on initial feedback of list.

Elisha –recommended Ørsted reach out to Heidi Riddle with U.S. Fish and Wildlife Service (USFWS); NDGF takes a really supportive role with the USFWS – would like to hear what USFWS recommends for federal species of concern. Elisha recommended avoiding turbine placement within 2 miles of a sharp-tailed grouse lek, in grasslands. If no surveys are done and all turbines placed in croplands, they are okay with this. However, if some of these turbines are placed in grasslands within 2 miles of a lek, further discussion will be required. Elisha mentioned HAPET model for wetland (waterfowl) impacts and NDGF grassland (breeding grassland bird) impacts. Definitely recommend running the models. If avoiding unbroken prairie (this is where they have the most concern); this may reduce the amount you have to put in on the forefront of surveys.

Chris inquired about grassland survey – does NDGF like to see survey methodology or can they go out and conduct survey and then review. Elisha stated you can follow the BMPs, but they will still run their own analysis using their data. No need to provide a survey plan before going out and conducting assessment.

Ørsted Questions:

Mark is interested in any feedback/general thoughts on offsets and how NDGF proposed how they go about implementing these offsets in light of the environmental offset legislation. The original plan was to use the Meadowlark initiative but that may no longer work.

Elisha mentioned this is a great question. This is a voluntary offset and should not be affected by the new bill. The new legislation does not compel you to do it any certain way. Elisha suggested they continue with the Meadowlark Initiative. NDGF is looking at acres, not the cost. They just want to see the acres on the ground. Elisha is unsure how they would get there to put money in the account for a commitment of acreage offsets.

Mark stated this makes sense. Ørsted stated they are trying to do the right thing. They feel they will be able to do something close to what they originally planned on. They have biodiversity goals, and this is an opportunity to work towards those goals.

The Meadowlark Initiative and offset impact analysis is a good tool for renewable energy development. If this tool goes away, the PSC's job will be harder. If money goes into an account that does not go toward the impacts and conservation this could make offset strategies more complicated. They want to see mitigation and acres on the ground. Elisha is agnostic on how you get those acres. Bruce is happy to see the first slide stating Ørsted is committed to conservation especially with biodiversity goals. He stated we will get through this new bill and process.

Elisha stated the NDGF letter to the PSC always references acres that are being impacted and what impacts need to be offset. The NDGF will always use acres as units, not dollars. Andrew asked what the next logical touch point between Ørsted is and NDGF. For grasslands, WEST does assessment and runs impact and then Elisha runs her analysis.

Elisha inquired as to when they plan to submit the amendment to the PSC. Mark mentioned relatively soon. They need to work through surveys and conditional use permit with McIntosh County. Still trying to determine how long this will take. Generally safe to say by the end of Q3.

Elisha stated the next step is to touch base with USFWS. She would like another meeting with USFWS and NDGF. After the impact analysis is completed, she would like to have another meeting. Elisha is unaware of how an amendment to the siting permit works. She needs to provide her feedback 30 days before hearing.

Bruce mentioned open communication is key. Please maintain and reach out with any questions.

Appendix D
Agency Correspondence
Logan County

Badger Wind, LLC
February 2024

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From: [Amanda Coletti](#)
To: [Kristiansen, Jody](#)
Subject: RE: May Logan County Commissioners Meeting
Date: Tuesday, May 30, 2023 1:33:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Thank you!

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Ørsted
Tel. +17738021321

From: Kristiansen, Jody <jkristiansen@nd.gov>
Sent: Tuesday, May 30, 2023 10:56 AM
To: Amanda Coletti <AMCOL@orsted.com>
Subject: RE: May Logan County Commissioners Meeting

Yes

Jody Kristiansen
Logan County Treasurer/Auditor
301 Broadway
Napoleon, ND 58561
701-754-2286
jkristiansen@nd.gov

From: Amanda Coletti <AMCOL@orsted.com>
Sent: Tuesday, May 30, 2023 10:53 AM
To: Kristiansen, Jody <jkristiansen@nd.gov>
Subject: RE: May Logan County Commissioners Meeting

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Hi Jody,

I hope you had a good Memorial Day holiday! I just wanted to confirm that the Logan County Commissioners will be meeting at the following address next week on June 7th:

- 301 Broadway
- Napoleon, ND 58561

Please let me know if this is correct.

Thank you,

Best regards,

Amanda Coletti

Senior Associate, Project Development
Region Americas

Ørsted

Tel. +17738021321

From: Kristiansen, Jody <jkristiansen@nd.gov>
Sent: Wednesday, March 22, 2023 1:08 PM
To: Amanda Coletti <AMCOL@orsted.com>
Subject: RE: May Logan County Commissioners Meeting

Our June meeting is scheduled for June 7th, 2023. I have you down at 2:30pm.

Thanks!

Jody Kristiansen

Logan County Treasurer

301 Broadway

Napoleon, ND 58561

701-754-2286

jkristiansen@nd.gov

From: Amanda Coletti <AMCOL@orsted.com>
Sent: Wednesday, March 22, 2023 12:00 PM
To: Kristiansen, Jody <jkristiansen@nd.gov>
Subject: RE: May Logan County Commissioners Meeting

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Hi Jody,

Thanks for getting back to me so quickly!

I talked with the other members of my team, and it turns out that we actually have an Orsted company event to attend on May 10th. Unfortunately, that means we won't be able to attend the May Logan County Commissioners meeting that day.

Would you be able to put us on the schedule for June instead? The meeting would be on Wednesday,
th

June 14 , right?

Thank you!

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Ørsted
Tel. +17738021321

From: Kristiansen, Jody <jkristiansen@nd.gov>
Sent: Monday, March 20, 2023 12:01 PM
To: Amanda Coletti <AMCOL@orsted.com>
Subject: RE: May Logan County Commissioners Meeting

I have you on May 10th, 2023 at 2pm. Please let me know if you need anything else.

Thanks!

Jody Kristiansen
Logan County Treasurer
301 Broadway
Napoleon, ND 58561
701-754-2286
jkristiansen@nd.gov

From: Amanda Coletti <AMCOL@orsted.com>
Sent: Monday, March 20, 2023 11:58 AM
To: Kristiansen, Jody <jkristiansen@nd.gov>
Cc: Nicholas Gebauer <NIGEB@orsted.com>; Mark Crowl <MCROW@orsted.com>
Subject: May Logan County Commissioners Meeting

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Hi Jody,

My name is Amanda and I am a member of the Orsted team working on the Badger Wind Farm in Logan and McIntosh counties. I have been working on the project along with Nick, our Sr. Director, and Mark, our Director. I have copied them both here.

We would like to meet with the Logan County Commissioners to share the latest information about the project when we are in the area in May. Blanche pointed me in your direction for getting on the meeting agenda. Will there be room on the agenda for Orsted to speak at the May Logan County Commissioners

meeting? Additionally, what day(s) will the meeting be held in May?

Thank you!

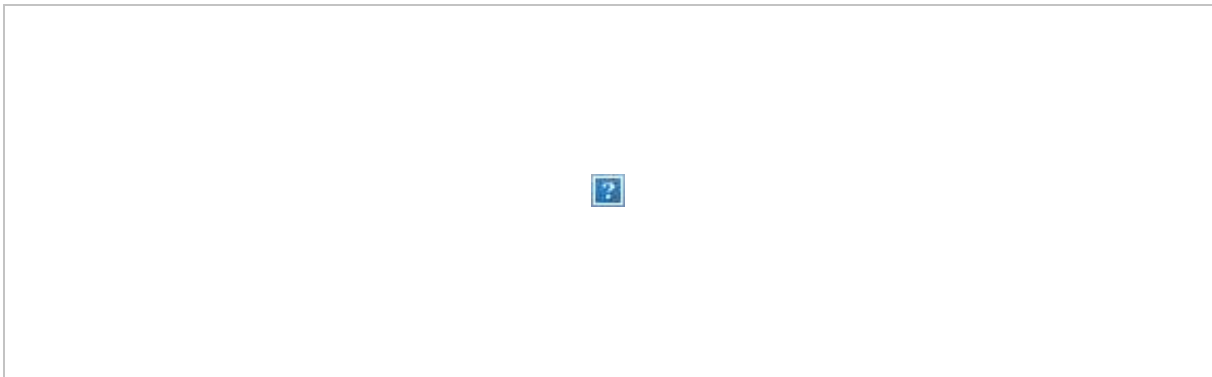
Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Tel. +17738021321
amcol@orsted.com



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Chicago, IL 60611



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5. Cattle Guard Grenz & Kroeber Township underground cattle pass

NEW BUSINESS (ACTION REQUIRED)

1. Rear CAT Tires
2. Co extension fund
3. Building permit
4. Community Service Administration Agreement
5. Health Insurance Premiums
6. July meeting date
7. Budget meeting
8. Letter to county employees
9. Letter to county resident

NEW BUSINESS (INFORMATIVE MATERIAL)

1. Accounts receivable report for the County Highway Department for the period ending May 31, 2023
2. General accounts receivable report for period ending May 31, 2023
3. 6 County Organization Meeting June 13, 2023, Ashley, ND
4. Allied Energy Out of Gas Policy
5. Letter from Widmer Roel
6. Snow removal assistance program update

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Appendix D
Agency Correspondence
McIntosh County

Badger Wind, LLC
February 2024

THIS PAGE INTENTIONALLY BLANK

From: [Amanda Coletti](#)
To: [Ketterling, Gina L.](#)
Subject: RE: June McIntosh County Commission Board Meeting
Date: Wednesday, May 31, 2023 1:33:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Thank you!

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Ørsted
Tel. +17738021321

From: Ketterling, Gina L. <gketterl@nd.gov>
Sent: Wednesday, May 31, 2023 2:19 PM
To: Amanda Coletti <AMCOL@orsted.com>
Subject: RE: June McIntosh County Commission Board Meeting

Hi Amanda

Yes, that is correct. You are on the agenda for 10:00 am

Gina Ketterling
McIntosh County Auditor
PO Box 39
Ashley, ND 58413
701-288-5140 Ext 1
gketterl@nd.gov

From: Amanda Coletti <AMCOL@orsted.com>
Sent: Tuesday, May 30, 2023 10:49 AM
To: Ketterling, Gina L. <gketterl@nd.gov>
Subject: RE: June McIntosh County Commission Board Meeting

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Hi Gina,

I hope you had a good Memorial Day holiday! I just wanted to confirm that the McIntosh County Commission Board will be meeting at the following address next week on June 7th:

- McIntosh County Courthouse, 112 1st Street NE, Ashley ND

Please let me know if this is correct.

Thank you,

Amanda Coletti

Senior Associate, Project Development
Region Americas

Ørsted

Tel. +17738021321

From: Ketterling, Gina L. <gketterl@nd.gov>

Sent: Friday, March 24, 2023 2:34 PM

To: Amanda Coletti <AMCOL@orsted.com>

Subject: RE: June McIntosh County Commission Board Meeting

Okay I will put you on the agenda at 10 am June 7th.

Gina Ketterling

McIntosh County Auditor

From: Amanda Coletti <AMCOL@orsted.com>

Sent: Friday, March 24, 2023 2:31 PM

To: Ketterling, Gina L. <gketterl@nd.gov>

Subject: RE: June McIntosh County Commission Board Meeting

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Hi Gina,

That works out very well for us! We will be headed to the Logan County meeting in the afternoon, so we can definitely be there for 10am.

Looking forward to it.

Best regards,

Amanda Coletti

Senior Associate, Project Development
Region Americas

Ørsted

Tel. +17738021321

From: Ketterling, Gina L. <gketterl@nd.gov>

Sent: Friday, March 24, 2023 1:52 PM

To: Amanda Coletti <AMCOL@orsted.com>

Subject: RE: June McIntosh County Commission Board Meeting

Hi Amanda

The McIntosh County Commission is meeting on June 7th also. We start our meeting at 9:00 a.m. If you could come to the meeting in the morning, around 10:00 or 11:00 a.m. that would work for us.

Gina Ketterling
McIntosh County Auditor
PO Box 39
Ashley, ND 58413
701-288-5140 Ext 1
gketterl@nd.gov

From: Amanda Coletti <AMCOL@orsted.com>

Sent: Thursday, March 23, 2023 4:18 PM

To: Ketterling, Gina L. <gketterl@nd.gov>

Cc: Nicholas Gebauer <NIGEB@orsted.com>; Mark Crowl <MCROW@orsted.com>

Subject: June McIntosh County Commission Board Meeting

You don't often get email from amcol@orsted.com. [Learn why this is important](#)

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Hi Gina,

I hope your week is going well! My name is Amanda and I am a member of the Orsted team that is working on the Badger Wind Farm in McIntosh and Logan counties. I have been working on the project along with Nick, our Sr. Director, and Mark, our Director. I have copied them both here.

We were recently in Wishek for a landowner meeting, and we will also be returning to the area in June. We would like to meet with the McIntosh County Commission Board to share the latest information about the project when we are there in a few months. During this visit, we will also be meeting with the Logan County Commissioners. I know that the Logan County Commissioners' meeting will be held on Wednesday, June 7th. Does the McIntosh County Commission Board meet during that same week? It would work out very well for us if we could get a meeting set up around that same time, but the month of June in general is still good timing.

I'd really appreciate if you could let me know when the McIntosh County Commission Board meeting(s) will be held in June.

Thank you!

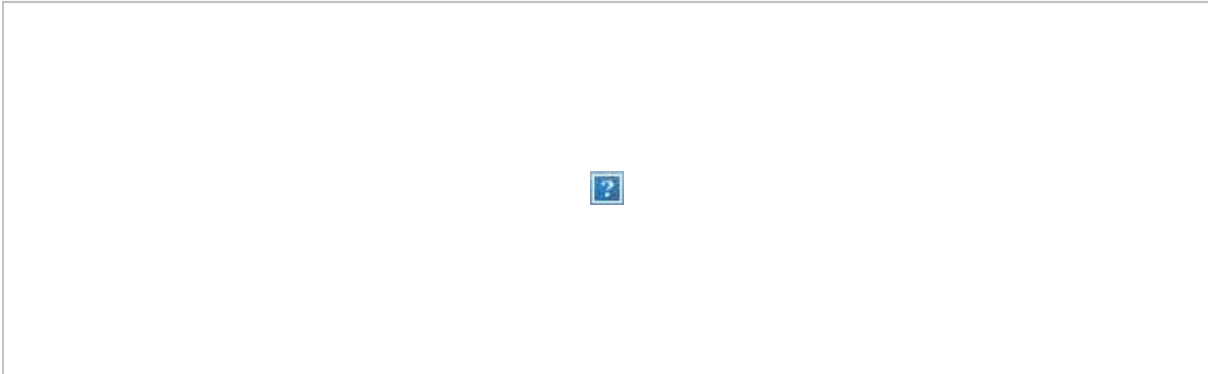
Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Tel. +17738021321
amcol@orsted.com



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Chicago, IL 60611



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MCINTOSH COUNTY PROCEEDINGS

June 7, 2023

9:15 a.m.

The meeting was called to order by Chairman Neil Meidinger. Present were Perry Turner, Jim Heinrich, and Gary G. Hoffman.

The Pledge of Allegiance was recited by all.

The agenda was reviewed. Jim Heinrich asked to add the landscaping issue. Perry Turner would like to add the "No Parking signs issue. Perry Turner moved to approve the agenda with the two additions, Jim Heinrich seconded. Motion carried.

The minutes of the last meeting and special meeting were read. Neil Meidinger stated that the following comment in the regular meeting minutes, "trail is on private land," should be removed. The culvert that needs to be replaced is on a county road. Jim Heinrich moved to approve the minutes with the above-mentioned correction, Perry Turner seconded. Motion carried.

Two Applications for Classification as Inundated Agricultural Land from Alvin and Rodney Feist were reviewed. After some discussion, Perry Turner moved to approve both applications. Jim Heinrich seconded. Motion carried.

Kary Lindgren of Farmers Union Insurance met with the board to present the coverage renewal proposal for liability insurance for the county. She reviewed Claim losses and asked if they wanted to take full coverage off of the 2005 Ford ¾ ton. Board decided to drop to liability only. Jim Heinrich moved to take this vehicle off of full coverage, Perry Turner seconded. Motion carried. Total premium came to \$41,454.00 per year with a \$2 million liability. Board decided they wanted \$5 million liability and that adds \$2,182.00. Total premium would be \$43,636.00. Perry Turner moved to accept this proposal. Jim Heinrich seconded. Discussed the \$5 million liability option. She stated that they could go to \$10 million. Board decided to keep at \$5 million. On the vote being taken, the following voted in favor thereof: Jim Heinrich, Perry Turner, and Neil Meidinger. Against the same: None. Motion carried. Mrs. Lindgren stated that NDIRF is offering a cybersecurity discount. The county can get a 4% discount, at no cost to the county if they participate. She will have someone contact the auditor.

The Plat for Outlot A located in the SE1/4SW1/4 of Section 6-129-73 was reviewed. Perry Turner moved to approve said plat as presented. Jim Heinrich seconded. Motion carried.

The Auditor, Gina Ketterling, presented the Board with some check the county received from the North Dakota Association of Counties reflecting discounts from Workforce Safety and Insurance. They were as follows:

- 2022 LMS Discount - \$702.25
- 2022 Premium Dividend Credit - \$3,706.09
- Safety Discount - \$702.25

The letter from Widmer Roel CPAs related to the audit they are currently conducting for the county was reviewed and filed.

The McIntosh County Housing Board needs a new member. Darwin Golz resigned. Jim Heinrich moved to appoint Jasmine Ulmer to replace Mr. Golz. Perry Turner seconded. Motion carried.

Chris Opsahl, Highway Superintendent, met with the Board on the following matters:

- Mark Kraft and Amanda Collette, representatives from Orstad (Badger Wind) met with the Board. They updated the commission on the progress of this project. They stated that they have met with the Agriculture Commissioner and the Governor. They presented the Board with maps of the project. The first map shows where the turbines would be located. They stated that they are looking at a 2025 start date. Perry Turner asked about rumors that were going around that the project was scrapped. They stated that those rumors are not true.
- Discussed the \$49,785.07 Covid money that the county received. Bryon Fuchs of NDDOT sent an email out that they just received notice that as part of the Debt Ceiling limit deal that was reached involves the COVID funds referred to above. As part of this deal, Congress is rescinding these Covid funds for any obligated balances. So, North Dakota does not lose these funds, NDDOT has requested FHWA obligate these remaining funds on a project. NDDOT will be replacing the Covid funds that we had to obligate with regular federal aid funds.
- Mowing of some property along the southeast part of Ashley was discussed. The county owns 36' x 166' from the curb. Board decided that this is all the county is going to mow.
- Parcel #09510000 in Lehr was discussed. Robin Opsahl is offering \$25.00 for the lot. Jim Heinrich moved to sell the lot to Robin Opsahl. Perry Turner seconded. Motion carried.
- Jerry Levi is mowing county lots in Zealand with the county lawn mower. This mower needs to be replaced. Chris asked if it is okay to get quotes. Board gave their approval to get quotes on a "zero turn" mower.
- Jim Heinrich asked about the tire machine. Jim Heinrich moved to purchase the tire machine. Perry Turner seconded. On the vote being taken, the following voted in favor thereof: Jim Heinrich, Perry Turner, and Neil Meidinger. Against the same: None. Motion carried.
- Chris stated that they had to stop rubbering because the cracks are closing. They will be going full scale graveling next week.
- Chris asked about a two-post lift to do oil changes. He was instructed to get prices.

- Gary Hoffman has a spot on the road by his place that needs some work. Chris will look at it.
- Perry Turner discussed the “No Parking” signs on the road going to Tony Schneiders. Commissioner Turner has received calls on this. He was told that big equipment pulled up behind an older person and the person did not hear it. Commissioner Turner is concerned about the county’s liability. He feels it must be managed better. Commissioner Heinrich is going to talk to the State’s Attorney and the Sheriff about this. It was also discussed about putting signs on the road by Goettle’s. Also, the “Road Closed” signs on this road will stay up until the bad spot is fixed.
- He is getting a load of cold mix to fix the culvert on the Green Lake Road.
- The Road Crew is taking Monday, July 3rd off and working Friday, July 7th.

Jim Heinrich moved that the courthouse will be closed Monday, July 3, and July 4. Perry Turner seconded. Motion carried.

Landscaping in front of courthouse was discussed. Jim Heinrich feels that the county spent the money on the annual plants and they should stay there. The Janitor feels he cannot do it. Commissioner Heinrich does not like the pots he put in. Board decided to keep the Daylilies.

Office vouchers were reviewed and filed.

The following bills were reviewed. Perry Turner moved to pay said bills. Jim Heinrich seconded. On the vote being taken, the following voted in favor thereof: Jim Heinrich, Perry Turner, and Neil Meidinger. Against the same: None. Motion carried.

810-811	Internal Revenue Service	Federal, SS & Medicare WTH	19,442.59
812	McIntosh County Bank	Direct Deposit Fees	8.45
91520	Visa	Gas Fills, PPE, Pump, Supplies	3,007.76
E1662-E1683	McIntosh County	Payroll - Electronic	56,672.63
91521-91528	McIntosh County	Payroll - Paper	16,605.42
91529	Smith, Mary	Overpayment on Taxes	379.03
91530-91558	Collections	Collections	76,163.02
91559	A & B Business Solutions, Inc.	Service Contracts	99.44
91560	ACME Tools	Finish Nailer & Nails	352.98
91561	Aflac	Supplemental Insurance	817.67
91562	Amazon Capital Services	Frames (10)	27.56
91563	American Solutions for Business	Office Supplies	438.43
91564	Aramark	Rental Supplies	833.14
91565	Ashley Super Valu	Meeting Supplies	7.00
91566	Attorney General	Scram Fees	155.00
91567	BEK	Phones	98.72
91568	Butler Machinery	Equipment Parts	224.88
91569	Capfirst Equipment Finance, Inc	Loader Annual Payment	20,416.00
91570	CDFC	Supplies, Unleaded, Repairs	429.74
91571	Central Iron Repair and Mfg.	Car Trailer Repairs	249.58
91572	CHS, Inc	Gas Fills	100.47
91573	CHS, Inc	Bulk Fuel Oil	3,829.22
91574	City of Wishek	Water, Sewer, Garbage	57.00
91575	City of Zeeland	Water, Sewer, Garbage	72.88
91576	CNH Industrial Accounts	Equipment Hauling	997.50
91577	Cole Papers, Inc.	Janitor Supplies	303.30
91578	Colonial Life	Supplemental Insurance	868.25
91579	Computer Express	Laptop Dock	925.00
91580	County Treasurer	Postage Meter	1,151.30
91581	Delzer, Steven	Coroner Fees	300.00
91582-91583	DRN	Phones, SMA, Security, Webhost, 911	1,048.91
91584	DMC Wear Parts, LLC	Carbide Cutting Edges	2,414.26
91585	Eve's Floral & Gifts	Flowers for Services and Courthouse	397.69
91586	Fettig's Sprinkler Service	Sprinkler Repairs	600.00
91587	Fey, Carol	Travel Expense	28.00
91588	G & G Implement, Inc.	Oil Change, Parts, Battery	334.31
91589	General Roofing & Construction	Courthouse Dome Repairs	35,772.00
91590	ITD	Emails, Netmotion, Circuit	792.40
91591	JDF	Shop Supplies	223.58
91592	Kedish House	Victim-Witness Fees	410.00
91593	KEM	Electricity	246.70
91594	Link's Do It Best	Supplies, Fertilizer, Weed Killer	2,288.34
91595	Martell's Carquest	Supplies, Repair Parts, Oil	1,363.50
91596	Martell's True Value	Shop Supplies	752.12
91597	Meidinger, Neil	Travel Expense	43.23
91598	MDU	Electricity	848.51
91599	NRG	New Computer, Support	2,215.17
91600	NDSU	Exhibit Tags	25.00
91601	Nelson International	Equipment Repairs	1,396.48

91602	NDACO	D&A Testing	30.00
91603	NDCSE	Child Support	362.00
91604	Northwestern Mutual	Deferred Comp	2,276.00
91605	Northwest Tire	Tires	601.80
91606	Pfeifle Ford	Vehicle Repairs & Maintenance	1,907.67
91607	Quadiant Finance USA, Inc	Postage Meter Funds	2,000.00
91608	Q's Welding & Machine, LLC	Repairs to Blades	230.00
91609	Quality Inn	Lodging	176.40
91610	Rocky's Fuel Oil & Gas	Bulk Fuel Oil	2,916.87
91611	Salzer Electric	50' P/Cord & Labor	276.10
91612	Schnieder, Hope	Travel Expense	287.20
91613	SCRWD	Water	21.80
91614	Stutsman Co Correction Center	Prisoner Housing	3,225.00
91615	Tri State Water, Inc.	Water & Coolers	89.50
91616	Tyler Technologies, Inc.	Doc Pro Server Migration	1,425.00
91617	Van Diest Supply Company	Plateau Chemical	2,511.00
91618	Verizon Wireless	Cell Phones, Laptops	299.63
91619	Vetters Vehicle Detailing	Wash & Detail	120.00
91620	VSP Vision	Vision Insurance	59.02
91621	Westside Heating And AC, LLC	Replace Hose/Fittings on Tank	336.20
91622	Wishek Electric	Wiring New Door	377.62
91623	Zeeland Oil LLC	Gas Fills, Bulk Fuel, Supplies	2,193.21
91624	Curts-Sinclair Service	Gas Fills	457.10

Jim Heinrich moved to recess until 1:00 p.m. Perry Turner seconded. Motion carried.

This being the time set for the Board of Equalization meeting, the Board convened as the Board of Equalization. Also attending was Hope Schnieder, Tax Director, and several other individuals. Ms. Schnieder discussed the following:

- Homestead Credit. There were 70 applications. All were approved but one, then the Legislature passed a bill that increased the limit and then the one that was not approved got approved. New applications have been coming in.
- Disabled Veterans Credit. The had 8 applicants
- 44 mobile homes on file
- 231 applications for the Farm Resident exemption were filed.
- 35 applications for the Exempt Property exemption were filed.
- Renaissance Zone applications – 4 – 5-year applications and 1 – 20-year application.
- Ag land value was discussed. She is recommending "No Change" on the Ag values. She is going to continue to work on actual use. Perry Turner moved to keep the Ag Value at 92.5%. Jim Heinrich seconded. Motion carried.
- Notices of Increase. The Cities of Ashley and Wishek all had increases. County came in at 73% and she had to get it to 90%.
- Perry Turner asked about the property tax refund. She has not seen anything on the application forms.
- Vern Harildstad attended the meeting. He discussed the scrap iron mess by his property that he feels lowers the value of his property. He wants the assessor to create another zone by that area to lower the value. He has been to the City Board of Equalization about this but they have not done anything. He does not like the fact that the neighbors do not take care of their properties and he feels that an algorithm is not fair and he does not like being told that it is a Bismarck or a company out of Minnesota setting the rules. Perry Turner stated that we must keep our values at or above 90% and we must have it there or the State will make us change it. Mr. Harildstad feels a 10% increase on his property would be fair. Ms. Schnieder stated that if she did this for him, she would have to do it for everyone in that neighborhood. Ms. Schnieder said she would be willing to reassess his property and he stated he would like that.
- Patricia Entzi also attended the meeting. She was worried about her taxes. He was told she qualifies for Homestead Credit.

There being no further business, Jim Heinrich moved to adjourn as the Board of Equalization and reconvene as the Board of Commissioners. Perry Turner seconded. Motion carried.

Next meeting will be July 10, 2023 at 9:00 a.m.

Jim Heinrich moved to adjourn. Perry Turner seconded. Motion carried. Meeting adjourned.

Neil Meidinger, Board Chairman

Attest: _____
Gina Ketterling, Auditor

From: [Ketterling, Gina L.](#)
To: [Amanda Coletti](#)
Subject: RE: Badger Wind Update and McIntosh County Zoning Confirmation
Date: Tuesday, August 29, 2023 7:52:58 AM
Attachments: [image002.png](#)
[image006.png](#)

Hi Amanda

McIntosh County does not require zoning permits. They do require overweight permits through Loadpass.

Gina Ketterling
McIntosh County Auditor
Po Box 39
Ashley, ND 58413
701-288-5140 Ext 1
getterl@nd.gov

From: Amanda Coletti <AMCOL@orsted.com>
Sent: Monday, August 28, 2023 12:22 PM
To: Ketterling, Gina L. <gketterl@nd.gov>
Cc: Mark Crawl <MCROW@orsted.com>
Subject: RE: Badger Wind Update and McIntosh County Zoning Confirmation

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Hi Gina,

I wanted to follow up on my previous email that I sent earlier this month. Would you be able to confirm that McIntosh County has not enacted a zoning ordinance and that the Badger Wind project does not need to obtain any zoning permits from McIntosh County?

We are just looking for a quick confirmation here via email. Thank you!

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Ørsted
Tel. +17738021321

From: Amanda Coletti
Sent: Monday, August 7, 2023 4:19 PM
To: Ketterling, Gina L. <gketterl@nd.gov>
Cc: Mark Crawl <MCROW@orsted.com>
Subject: Badger Wind Update and McIntosh County Zoning Confirmation

Hello Gina,

First of all, I'd like to follow up and say thank you for allowing us to provide an update to the McIntosh County Board of County Commissioners in June. During the Commissioners meeting, we made the announcement that Orsted and Badger Wind acquired a competitor project immediately adjacent to our previous footprint. After more thoroughly assessing the acquired property, we strongly believe that portions of the acquisition would be a great fit as an addition to the original Badger Wind project area.

As such, I'm reaching out to provide notice to the County of our intent to expand the Badger project to accommodate an additional ~4,125 acres of land within Logan and McIntosh counties. Adding this property would slightly expand our project area, but more importantly would expand the pool of local participants that want to see this project constructed while extending project benefits to more members of the local community.

On December 1, 2021, the McIntosh County Board of County Commissioners provided the attached letter confirming that McIntosh County had not enacted a zoning ordinance and that the project did not need to obtain any zoning permits from McIntosh County. Would you be able to confirm here via email that this is still the case?

I look forward to hearing from you.

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Tel. +17738021321
amcol@orsted.com



Learn more at us.orsted.com

401 N Michigan Ave., Suite 501
Chicago, IL 60611



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From: [Amanda Coletti](#)
To: [Ketterling, Gina L.](#)
Cc: [Mark Crowl](#)
Subject: Badger Wind Project Update
Date: Monday, January 29, 2024 10:58:00 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi Gina,

I hope this email finds you well. I am reaching out to you today to provide an update to McIntosh County regarding the Badger Wind Project. You should have recently received a letter from Ørsted providing some general updates on the project, but I wanted to send over some additional, more specific information as well. The biggest update is that we have submitted our updated Conditional Use Permit application to Logan County and our Public Hearing has been scheduled with the County on February 14th. Mark and I will be in attendance at the Hearing in a few weeks. We are hoping that the Hearing is uneventful and that our updated permit application is approved with no issues like the last time we went through this process in 2022. Shortly after the Logan County Public Hearing in mid-February, we will be looking to submit our permit amendment application to the North Dakota Public Service Commission.

In addition to this email update, we would love the opportunity to update the McIntosh County Commission Board in person – is there any time within the next few months that might work for us to stop in and visit with the Commission Board in person? Or is this written update sufficient?

Please feel free to send any questions from McIntosh County over to us via email, and don't hesitate to contact me by phone with any questions as well.

Thank you!

Best regards,
Amanda Coletti
Senior Associate, Project Development
West Regional Development 1
Region Americas

Tel. +17738021321
amcol@orsted.com



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Appendix D
Agency Correspondence
Red Lake Township

Badger Wind, LLC
February 2024

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From: [Chuck Fetting](#)
To: [Amanda Coletti](#)
Subject: Re: Badger Wind Update and Red Lake Township Zoning Confirmation
Date: Friday, September 8, 2023 6:24:21 AM

Yes. This confirmation is right.

Sent from my iPhone

On Aug 29, 2023, at 10:50 AM, Amanda Coletti <AMCOL@orsted.com> wrote:

Hi Chuck,

Thank you for taking my call yesterday. As we discussed on the phone, Orsted and Badger Wind recently acquired a competitor project immediately adjacent to our previous footprint. After more thoroughly assessing the acquired property, we strongly believe that portions of the acquisition would be a great fit as an addition to the original Badger Wind project area.

As such, it is our intent to expand the Badger project to accommodate an additional ~4,125 acres of land within Logan and McIntosh counties. Adding this property would slightly expand our project area, but more importantly would expand the pool of local participants that want to see this project constructed while extending project benefits to more members of the local community.

On March 4, 2022, Red Lake Township provided the attached letter confirming that the Township had not enacted a zoning ordinance and that the project did not need to obtain any zoning or land use permits from Red Lake Township. On the phone, you told me verbally that this is still the case. Would you also be able to confirm here via email that the project will not need to obtain any zoning or land use permits from Red Lake Township?

Thank you!

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Tel. +17738021321
amcol@orsted.com

<[image001.png](#)>

Learn more at us.orsted.com

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Chicago, IL 60611

<[image002.png](#)>

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<Red Lake Township Zoning Letter.pdf>

Appendix D
Agency Correspondence
North Dakota Department of Agriculture

Badger Wind, LLC
February 2024

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From: Bialke, Joseph P. <bialkej@nd.gov>
Sent: Thursday, December 28, 2023 3:45 PM
To: Mark Crowl <MCROW@orsted.com>
Cc: Amanda Coletti <AMCOL@orsted.com>; Miller, Adam M. <admmiller@nd.gov>
Subject: Badger Wind Project - Logan & McIntosh Counties -- NDDA mitigation program
Importance: High

Mark/Amanda

Please allow me to introduce myself. I'm Dutch Bialke, General Counsel at the North Dakota Department of Agriculture (NDDA).

Agriculture Commissioner Goehring is in receipt of your attached letter, dated December 19, 2023. Thank you for your detailed correspondence.

I know the issue of potential environmental mitigation may still be a year or two into the future. Nonetheless, I thought I'd proactively reach out to you in relation to mitigating or offsetting potential direct or indirect adverse environmental impacts associated with the construction and operation of your Badger Wind Project.

As you are aware, earlier this year, North Dakota enacted new laws establishing an environmental mitigation program within NDDA to better address adverse environmental impacts resulting from the construction and operation of energy facilities in the State. These new applicable laws are attached.

Prior to the Public Service Commission issuing a permit or certificate to an applicant under NDCC chapter 49-22, Commissioner Goehring must notify the Public Service Commission of mitigation efforts to create, restore, or mitigate similar habitat affected by the construction or operation of an energy conversion or transmission facility.

Accordingly, these new laws create transparency and ensure that mitigation is properly structured to reflect the project.

Additionally, these new laws ensure that mitigation projects may no longer result in perpetual easements that affect agricultural land and future infrastructure projects. Now, according to the new laws, perpetual easements are not permitted. A conservation easement, in relation to an energy facility mitigation project, must be limited in time to no longer than the operational life of the facility.

Since these laws became effective on July 1, 2023, NDDA has made extensive progress in creating and implementing an approach that provides certainty and avoids further unintended consequences.

In particular, NDDA manages the environmental impact mitigation fund. These funds are used by NDDA, in accordance with N.D.C.C. § 4.1-01-21.1, primarily to create, restore, or mitigate similar habitat affected by the construction or operation of an energy conversion or transmission facility.

Further, NDDA lowers mitigation effort overhead costs, as appropriate, by partnering with local government conservation agencies (e.g., Soil Conservation Districts) to assist in planning and implementing appropriate mitigation efforts.

We look forward to working with you in relation to any necessary environmental mitigation project that you may contemplate.

Please contact either me or Adam Miller, cc'ed above, if you have any questions or if we can be of any assistance.

All the best,

Dutch

J.P. "Dutch" Bialke

General Counsel/Senior Policy Advisor

Special Assistant Attorney General

ND Department of Agriculture

600 E. Boulevard Ave., Dept. 602 | Bismarck, ND 58505-0020

P: 701.328.1496 | F: 701.328.4567

bialkej@nd.gov

www.nd.gov/ndda



4.1-01-21.1. Environmental impact mitigation fund - Report to legislative management - Continuing appropriation.

1. There is created in the state treasury the environmental impact mitigation fund. The fund consists of all moneys deposited in the fund under section 49-22-09.2. All moneys in the fund are appropriated to the commissioner on a continuing basis for disbursement by the commissioner in accordance with this section.
2. Moneys in the fund may be used only for:
 - a. Consultation with environmental scientists or engineers, industry specialists, or others for relevant services to analyze or implement mitigation required from the impact of development; and
 - b. Creation, restoration, or mitigation of similar habitat affected by the construction or operation of an energy conversion or transmission facility. Mitigation of adverse impacts from development under this section shall be conducted in the following order of priority:
 - (1) The area immediately impacted by the development;
 - (2) The county impacted by the development;
 - (3) The region impacted by the development; and
 - (4) Other areas within the state.
3. The commissioner is not subject to chapter 54-44.4 when contracting for services under this chapter.
4. In consultation with the federal environmental law impact review committee, the commissioner shall adopt rules pursuant to chapter 28-32 to implement the provisions of this section.
5. Easements or leaseholds purchased by a person to mitigate adverse environmental effects of the construction or operation of an energy conversion or transmission facility under chapter 49-22 must be limited to the operational life of the facility as defined under chapter 49-22. Any payment made to mitigate adverse environmental effects of the construction or operation of an energy conversion or transmission facility under chapter 49-22 must be made to the commissioner who shall deposit the payment into the environmental impact mitigation fund. Prior to the public service commission issuing a permit or certificate to an applicant under chapter 49-22, the commissioner shall notify the public service commission of mitigation efforts under this section to create, restore, or mitigate similar habitat affected by the construction or operation of an energy conversion or transmission facility.
6. The commissioner shall provide a biennial report of environmental impact mitigation fund disbursements to the legislative management.
7. For purposes of this section, the environmental impact mitigation fund is not subject to subsection 2 of section 4.1-01-18.

49-22-09.2. Mitigating environmental impacts.

If an applicant elects to provide a payment to mitigate the environmental impact of the construction or operation of an energy conversion or transmission facility, the payment must be made to the agriculture commissioner who shall deposit the payment into the environmental impact mitigation fund under section 4.1-01-21.1. Nothing in this section shall be construed to limit an applicant from conducting mitigation activities.

Meeting Minutes

Meeting **Badger Wind and North Dakota Department of Agriculture (NDDA)**

Meeting Date 24 January 2024

Virtual Meeting

Participants

Dutch Bialke, General Counsel and Senior Policy Advisor, NDDA

Adam Miller, Conservation Expert, NDDA

Mark Crowl, Development Director, Orsted

Amanda Coletti, Senior Associate Developer, Orsted

Andrew Krieger, Permitting Manager, Orsted

Chris Farmer, Principle Onshore Biologist, Orsted

Clayton Derby, CEO, WEST

Kevin Shelley, Ecologist, WEST

Minutes

- Introductions made from Orsted and NDDA.
- Mark Crowl gave a brief presentation and overview of the project, culminating with Orsted's proposed voluntary offset payment amounts and structure.
- NDDA indicated the top-line figures are likely acceptable as they are very much in line with the spirit of previous payments under the new Environmental Impact Mitigation Fund process.
- NDDA would like to keep Badger Winds payments and process congruent with NextEra Energy and Oliver Wind to the extent practicable.
 - Overall, this is a proposal that Counsel feels they can recommend to the Commissioner - they intend to be consistent and equitable in treatment of projects.
- NDDA stated that they need to review the potential payment schedule that includes instalments over the first five years of operations to determine if that is feasible. This approach could potentially conflict with the state budgeting process that is on a two-year cycle.
- Next steps were discussed and Orsted formally requested the Memorandum of Understanding (MOU) that was agreed to with NDDA and Oliver Wind.
- Orsted agreed to keep any comments or edits to the previous MOU at a minimum, so that approval can be expedited and NDDA can ensure that all projects are being treated in a fair and equitable manner.
 - Timeline to execute MOU (proposed February 16, 2024) may be too ambitious, but NDDA will work with Orsted to the extent they are able to meet the deadline, or something close to it.
- Once Orsted drafts edits to the MOU, the Agriculture Commissioner, Counsel, and NDDA consultants will review and provide comments.
- NDDA made a schedule note – the NDDA letter to the Public Service Commission (PSC) has to be submitted 30 days prior to the PSC hearing.
- NDDA asked to attend the NDGF meeting and asked that NDGF be allowed to comment on a “final” draft MOU.

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Appendix D
Agency Correspondence
North Dakota Department of Environmental
Quality

Badger Wind, LLC
February 2024

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January 17, 2024

Mark Crowl
Director of Development
Orstad
mcrow@orsted.com
Denver, CO

Re: Badger Wind Project Updates in Logan and McIntosh Counties

Dear Mr. Crowl:

The North Dakota Department of Environmental Quality (Department) has reviewed the information concerning the above-referenced project received at the Department on December 27, 2023, with respect to possible environmental impacts.

1. All necessary measures must be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise are to be dealt with in an efficient and effective manner.
2. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
3. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the re-establishment of vegetation or other permanent cover. Further information on the stormwater permit may be obtained from the Department's website or by calling the Division of Water Quality at 701-328-5210. Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local stormwater management considerations are addressed.

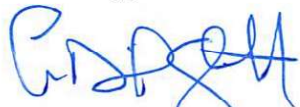
A total maximum daily load (TMDL) allocation for fecal coliform bacteria has been developed for Beaver Creek and its tributaries. Stormwater runoff from the project should not contribute to the impairment if the appropriate practices are in place to manage sanitary waste.

4. The construction project is in the vicinity of the Wishek and South Branch Beaver Creek aquifers. Numerous stock and domestic water wells are located within the project areas. Care should be taken to avoid spills of any materials that may have an adverse effect on groundwater quality. All spills must be immediately reported to this Department and appropriate remedial actions performed.
5. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Wind turbine blades are prohibited from disposal in landfills unless resource recovery markets are not available, and then disposal must be approved by the Department in accordance with North Dakota Century Code Subsections 23.1-08-08(2) and (3). Used wind turbine blades are not to be stockpiled without Department approval. Further information on waste management and recycling is available from the Department's Division of Waste Management at 701-328-5166.

The Department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

LDG:ll
Attach.

Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality for projects that involve construction and environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be prohibited against compaction, vegetation loss and unnecessary damage.

Surface Waters

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be contained to minimize silt movement, nutrient upsurges, plant dislocations, and any physical chemicals, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the department's pesticide application permit with notification to the department.

Fill Material

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds, including, but not limited to, asphalt, tires, treated lumber, and construction debris. The department may require testing of fill material. All temporary fills must be removed. Debris and solid waste must be properly disposed or recycled. Impacted areas must be restored to near original condition.

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Appendix D
Agency Correspondence
North Dakota Department of Water Resources

Badger Wind, LLC
February 2024

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January 19, 2024

Mark Crowl
Director Development
mcrow@orsted.com

Dear Mr. Crowl:

This is in response to your request for a review of the environmental impacts associated with the Updates to the Badger Wind Project located in Logan and McIntosh Counties, ND.

The proposed project has been reviewed by Department of Water Resources, and the following comments are provided:

- The Department of Water Resources (DWR) Engineering and Permitting Section and Water Resource Districts are responsible for regulating drainage and water management in North Dakota. The DWR Engineering and Permitting Section also regulates the construction and modification of any dike, diversion, restoration, or other device. Consequently, the DWR requests to be notified regarding a proposed project's impacts, if any, to water resources, such as watercourses (i.e. streams or rivers), agricultural drains, wetlands (i.e. ponds, sloughs, lakes, or any series thereof), and dikes, diversion, restorations, and other water control devices, as any alterations, modifications, improvements, or impacts may require a drainage permit(s) or construction permit(s). For more information on these requirements, please visit the Regulation & Appropriation tab on the DWR website (dwr.nd.gov), or contact the Regulatory Division directly at 701-328-2750 or dwrregpermits@nd.gov.

- There are no current effective FEMA National Flood Insurance Program (NFIP) floodplains identified or mapped where the proposed project is to take place. However, preliminary Flood Insurance Rate Maps identify areas within the project area within a special flood hazard area. The preliminary maps may go effective prior to project start. Currently, no permit relative to the NFIP are likely required based on the current effective Flood Insurance Rate Map and State minimum standards. However, flood risk has been identified through the North Dakota Risk Assessment Mapservice and Base Level Engineering (BLE) (ndram.dwr.nd.gov). In the absence of FEMA NFIP data, BLE is often considered best available data and is recommended to be considered in the design process. The State of North Dakota has no formal NFIP permitting authority as all NFIP permitting decisions are considered by impacted NFIP participating communities, the community with zoning authority for the area in question. Please work directly with the local floodplain administrators of the zoning authorities impacted.

- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the Department of Water Resources Water

Appropriation Division if you have any questions at (701) 328-2754 or appropinfo@nd.gov.

- The Department of Water Resources maintains a network of observation wells across the state for monitoring the water levels and quality in glacial and bedrock aquifers. These wells are often installed in road and highway rights-of-way to limit inconvenience to the adjacent landowners. Department of Water Resources observation wells have a yellow protective casing extending between 1 and 3 feet above ground surface, and their locations are marked with a stake. If an observation well is encountered during project activities and must be removed, please contact the Water Appropriation Division. The Department of Water Resources hopes to keep all observation wells, but otherwise will ensure the well is properly abandoned.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or vdavila@nd.gov.

Sincerely,



Vanessa Davila
Water Resource Planner

VD:dm/1570

Appendix D
Agency Correspondence
North Dakota Parks and Recreation Department

Badger Wind, LLC
February 2024

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January 10, 2024

Mark Crowl
Orsted Energy Company

Re: Badger Wind Project in Logan and McIntosh Counties

Dear Mark,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-proposed Updates to the Badger Wind Project in Logan and McIntosh Counties

NDPRD's scope of authority and expertise covers properties that NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); rare plants; and ecological communities established through the Natural Heritage Program.

The project does not appear to affect properties NDPRD owns, leases, or manages.

The projects does not appear to affect properties protected under Section 6(f) of the LWCF.

A North Dakota Natural Heritage biological conservation database query determines if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, no known plant or animal species of concern or significant ecological communities are documented within or immediately adjacent to the project site.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation. For additional information, contact Natural Resources Division Chief Kathy Duttenhefner at 701-328-5370, 701-220-3377 (cell), or kgdutzenhefner@nd.gov.

Thank you for the opportunity to comment on the proposed project.

Sincerely,



Kathy Duttenhefner, Chief Natural Resources Division

From: [Amanda Coletti](#)
To: [De Caro, David](#); [Wallace, Erin](#)
Cc: [Andrew Krieger](#)
Subject: FW: Badger Wind Project in Logan and McIntosh Counties
Date: Wednesday, January 17, 2024 11:58:44 AM
Attachments: [image001.jpg](#)
[Orsted Wind Project McIntosh Lobgan Co KD Responce Letter DL1.11.2024.pdf](#)
[PROPOSED UPDATES TO THE BADGER WIND PROJECT LOGAN MCINTOSH COUNTIES DL1.11.24 HERITAGE.pdf](#)
[PROPOSED UPDATES TO THE BADGER WIND PROJECT LOGAN MCINTOSH COUNTIES DL1.11.24 LWCF.pdf](#)
[PROPOSED UPDATES TO THE BADGER WIND PROJECT LOGAN MCINTOSH COUNTIES DL1.11.24 MAP.pdf](#)

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FYI

Best regards,
Amanda Coletti
Senior Associate, Project Development
West Regional Development 1
Region Americas

Ørsted
Tel. +17738021321

From: Duttenhefner, Kathleen G. <kgduttonhefner@nd.gov>
Sent: Wednesday, January 17, 2024 12:21 PM
To: Mark Crowl <MCROW@orsted.com>; Amanda Coletti <AMCOL@orsted.com>
Subject: Re: Badger Wind Project in Logan and McIntosh Counties

Re: Badger Wind Project in Logan and McIntosh Counties

North Dakota Parks and Recreation Department's Environmental Review Response letter is attached.

Kathy Duttenhefner

Natural Resources Division Chief
701.328.5370 • 701.220.3377 • parkrec.nd.gov

ND Parks & rec orange 173C & BLK



Appendix D
Agency Correspondence
State Historical Society of North Dakota

Badger Wind, LLC
February 2024

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Logs

Log Entry

Date/Time 1/23/2024 11:36:47 AM

User
Username: shscontractor11
Real Name: SHSContractor11
IP Address: 69.144.223.34
Agent:  Chrome Browser 120.0.0.0

File
Path: /Home/shsndgis/shscontractor11 / Badgerwind_Architectural_Report_information.zip
ID: 125794483
Size: 18,847,424 bytes
Duration: 13.8967847 seconds
Rate: 1,356,243 bytes/second

Folder
Path: /Home/shsndgis/shscontractor11
ID: 316049210

Description Uploaded file Badgerwind_Architectural_Report_information.zip (#125794483) to folder /Home/shsndgis/shscontractor11; integrity verified.

Technical Error Code: 0

Notes

[Return to Logs](#)

De Caro, David

From: Rigden Glaab <Rigden.Glaab@westwoodps.com>
Sent: Friday, January 26, 2024 10:50 AM
To: Andrew Krieger; De Caro, David; Wallace, Erin
Cc: Ryan Grohnke; Ryan Steeves
Subject: FW: Westwood Submittal: Badger Wind Project, Logan and McIntosh Counties, ND

Follow Up Flag: Follow up
Flag Status: Flagged

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Confirmation email to the ND SHPO.

Thanks,

Rigden

Rigden Glaab, RPA

Senior Archaeological Principal Investigator
rigden.glaab@westwoodps.com

cell (701) 425-9523
direct (952) 697-5791
main (952) 937-5150

Westwood
12701 Whitewater Drive, Suite 300
Minnetonka, MN 55343

westwoodps.com
(888) 937-5150

From: Rigden Glaab
Sent: Friday, January 26, 2024 9:49 AM
To: Meidinger, Lorna B. <lmeidinger@nd.gov>
Cc: Reed, Timothy A. <treed@nd.gov>; Ryan Grohnke <Ryan.Grohnke@westwoodps.com>
Subject: Westwood Submittal: Badger Wind Project, Logan and McIntosh Counties, ND

Good morning Lorna,

We have mailed the report for the Badger Wind Project along with the processing check. The GIS data and digital version of the document have also been uploaded to the FTP site (Badger_Wind_Project folder).

Thank you, and please let me know if you have any questions.

Best regards,

Rigden

Rigden Glaab, RPA

Senior Archaeological Principal Investigator

rigden.glaab@westwoodps.com

cell (701) 425-9523

direct (952) 697-5791

main (952) 937-5150

Westwood

12701 Whitewater Drive, Suite 300
Minnetonka, MN 55343

westwoodps.com

(888) 937-5150

You have a package coming.

Scheduled Delivery Date: Friday, 01/26/2024

This message was sent to you at the request of WESTWOOD PROFESSIONAL SERV to notify you that the shipment information below has been transmitted to UPS. The physical package may or may not have actually been tendered to UPS for shipment. To verify the actual transit status of your shipment, click on the tracking link below.

Shipment Details

From: WESTWOOD PROFESSIONAL SERV

Tracking Number: [1ZF444191398264933](#)

Ship To: Lorna Meidinger
State Historical Society of ND
612 East Boulevard Avenue
BISMARCK, ND 585056100
US

UPS Service: UPS NEXT DAY AIR SAVER

Number of Packages: 1

Scheduled Delivery: 01/26/2024

Weight: 2.0 LBS

Reference Number 1: R0031120:00 7 4210

Reference Number 2: RAG

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Appendix D
Agency Correspondence
Wishek Airport

Badger Wind, LLC
February 2024

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RE: Badger Project: Turbine Updates



Amanda Coletti

To lorren@bektel.com

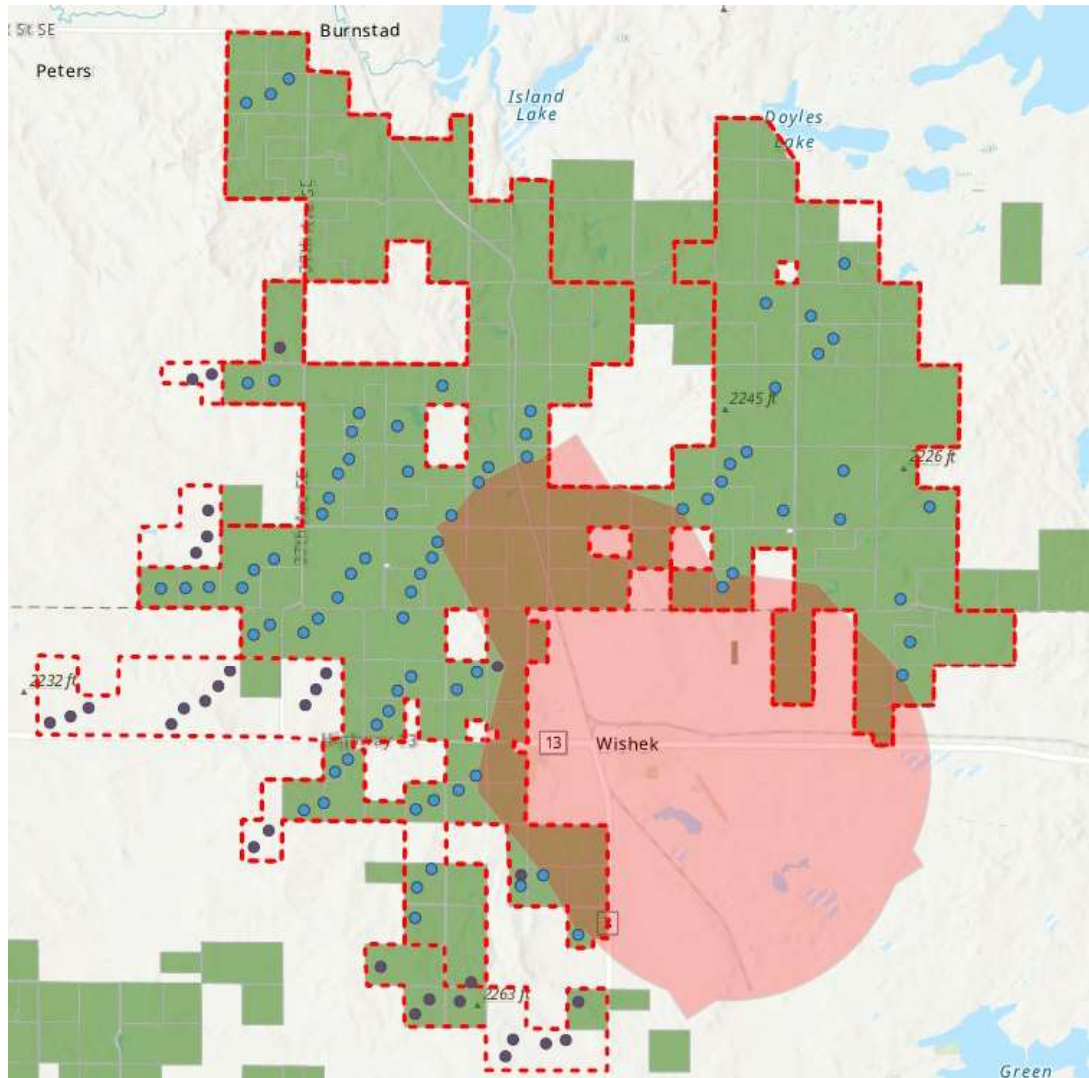
Cc Mark Crowl

Hi Lorren,

It was nice talking with you today. Thank you for confirming over the phone that the Wishek Airport does not have any issues with the proposed Badger turbine locations depicted on the map below.

Since there will be no other turbine locations added to the layout, would you be able to confirm here via email that the Wishek Airport does not have any concerns with the proposed Badger turbine layout?

Thank you!



Best regards,

Amanda Coletti

Senior Associate, Project Development

West Regional Development 1

Region Americas

Ørsted

Tel. +17738021321

From: Amanda Coletti
Sent: Monday, October 30, 2023 11:50 AM
To: lorren@bektel.com
Cc: Mark Crowl <MCROW@orsted.com>
Subject: RE: Badger Project: Turbine Updates

Hi Lorren,

I hope this email finds you well. I wanted to send a follow up note to ask if you had heard back from the aeronautics department? I understand the timeline for feedback was about two weeks, so please let us know if you have heard from aeronautics, or if there is an update on when we can expect to hear back from the department.

Thank you!

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Ørsted
Tel. +17738021321

From: Amanda Coletti
Sent: Tuesday, September 12, 2023 12:37 PM
To: lorren@bektel.com
Cc: Mark Crowl <MCROW@orsted.com>
Subject: RE: Badger Project: Turbine Updates

Hi Lorren,

Thank you for letting me know the timeline for the aeronautics review.

To answer your questions, the elevation numbers on the map show the elevation of the land only. The map discloses all of our proposed turbine locations, so there will not be any other locations added. We are planning on building up to 93 turbines. There are more than 93 turbines on the map, because the map represents both primary and alternate turbine locations. We wanted to be conservative and give you the view of all of the possible locations, but only a smaller subset will actually be built (again, up to 93).

None of the new proposed turbines are closer to the Wishek Airport than you were previously comfortable with, so we took the airport into consideration when designing the new layout to make sure it would work for you.

Please let me know if you have any other questions.

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Ørsted
Tel. +17738021321

From: lorren@bektel.com <lorren@bektel.com>
Sent: Monday, September 11, 2023 12:11 PM
To: Amanda Coletti <AMCOL@orsted.com>
Subject: Re: Badger Project: Turbine Updates

Talked with aeronautics. It will be about 2 weeks for an answer. I will be out of the country for about 16 days. Have been looking at the map. It appears to me there is a purple dot that may have been added that appears to be North west of Wishek. When looking at the map.

Concerning the elevations...is that the height of the proposed towers or is that the elevation of the land?

When will you notify us as to the number of towers and locations of any new towers not disclosed on the map.

Thanks

Lorren

On 2023-09-08 14:39, lorren@bektel.com wrote:

Amanda,

We have sent the amended plan to the North Dakota department for their review. When we hear from them I will pass it in to you.

Lorren

On 2023-08-24 17:29, Amanda Coletti wrote:

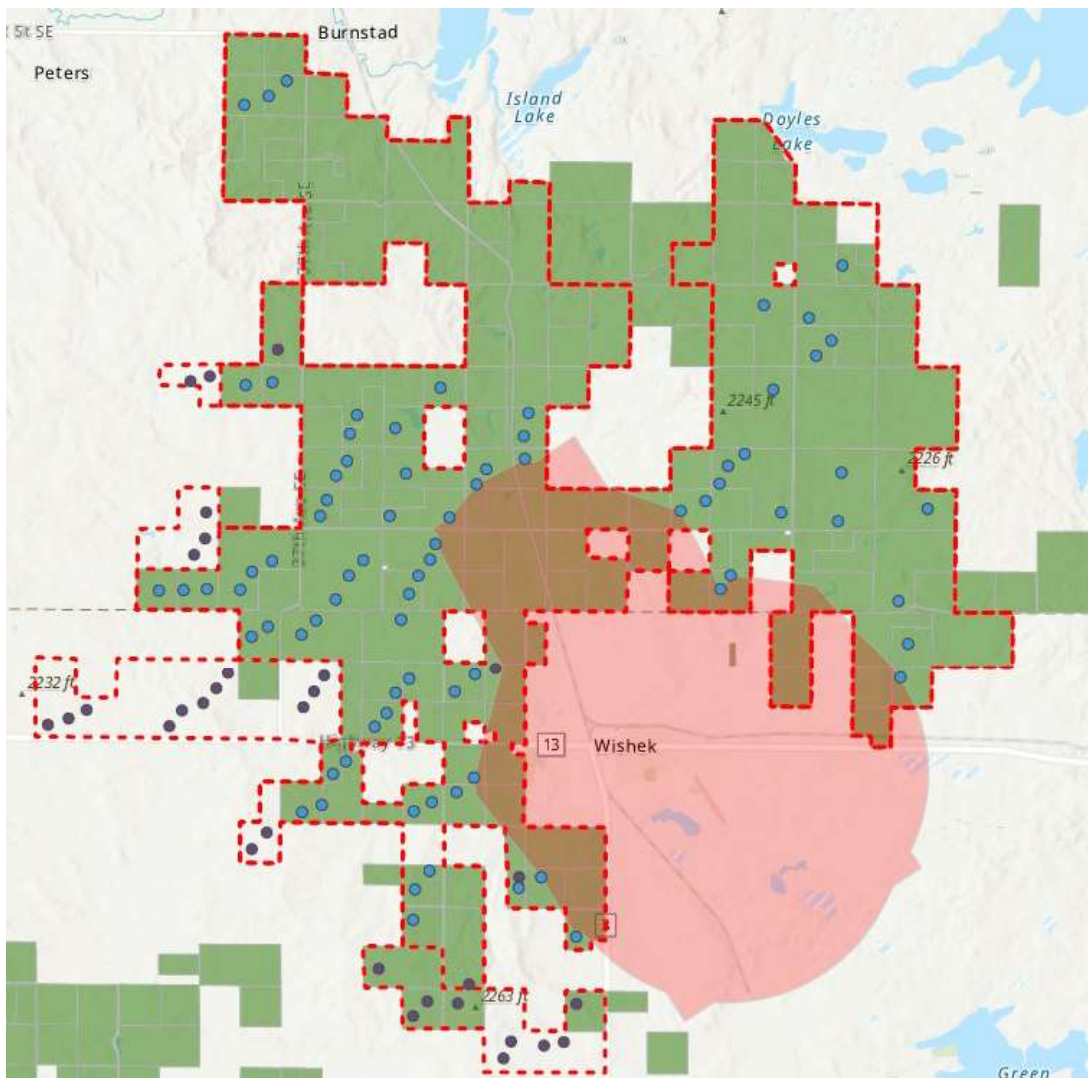
Hi Lorren,

Thank you for taking my call last week. I wanted to send over the updated Badger project map to show you, in greater detail, the proposed locations of the additional wind turbines in the Badger project area. The map below shows:

- Previously approved turbine locations in blue
- New proposed turbine locations in black
- The area surrounding the Wishek Airport that we are avoiding, shaded in light red

As an additional note, we have secured lease agreements and have site control for all of the land that is inside the red dashed lines. Some of the parcels aren't showing up in green because our system hasn't been updated yet.

It would be great if you could respond to this email stating that the Wishek Airport has no concerns with the updates that the Badger project is proposing. Please give me a call or respond to this email if you have any additional questions as well.



Thank you!

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Tel. +17738021321
amcol@orsted.com



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401 N Michigan Ave., Suite 501
Chicago, IL 60611



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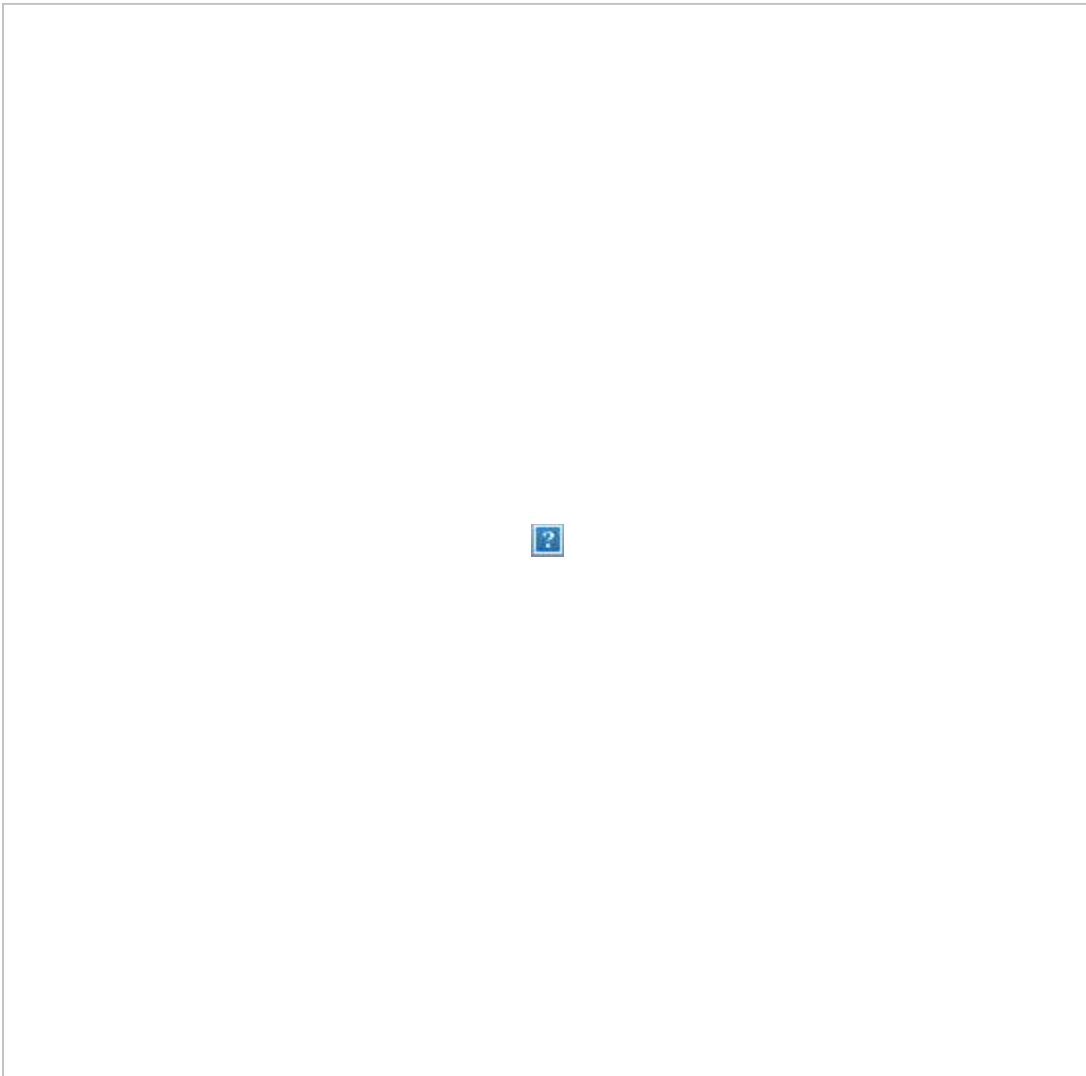
From: [Amanda Coletti](#)
To: lorren@bektel.com
Cc: [Mark Crowl](#)
Subject: RE: Badger Project: Turbine Updates
Date: Friday, November 17, 2023 4:12:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Hi Lorren,

It was nice talking with you today. Thank you for confirming over the phone that the Wishek Airport does not have any issues with the proposed Badger turbine locations depicted on the map below.

Since there will be no other turbine locations added to the layout, would you be able to confirm here via email that the Wishek Airport does not have any concerns with the proposed Badger turbine layout?

Thank you!



Best regards,
Amanda Coletti

Senior Associate, Project Development
West Regional Development 1
Region Americas

Ørsted
Tel. +17738021321

From: Amanda Coletti
Sent: Monday, October 30, 2023 11:50 AM
To: lorren@bektel.com
Cc: Mark Crowl <MCROW@orsted.com>
Subject: RE: Badger Project: Turbine Updates

Hi Lorren,

I hope this email finds you well. I wanted to send a follow up note to ask if you had heard back from the aeronautics department? I understand the timeline for feedback was about two weeks, so please let us know if you have heard from aeronautics, or if there is an update on when we can expect to hear back from the department.

Thank you!

Best regards,
Amanda Coletti
Senior Associate, Project Development
Region Americas

Ørsted
Tel. +17738021321

From: Amanda Coletti
Sent: Tuesday, September 12, 2023 12:37 PM
To: lorren@bektel.com
Cc: Mark Crowl <MCROW@orsted.com>
Subject: RE: Badger Project: Turbine Updates

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Senior Associate, Project Development
Region Americas

Ørsted
Tel. +17738021321

From: lorren@bektel.com <lorren@bektel.com>

Sent: Monday, September 11, 2023 12:11 PM

To: Amanda Coletti <AMCOL@orsted.com>

Subject: Re: Badger Project: Turbine Updates

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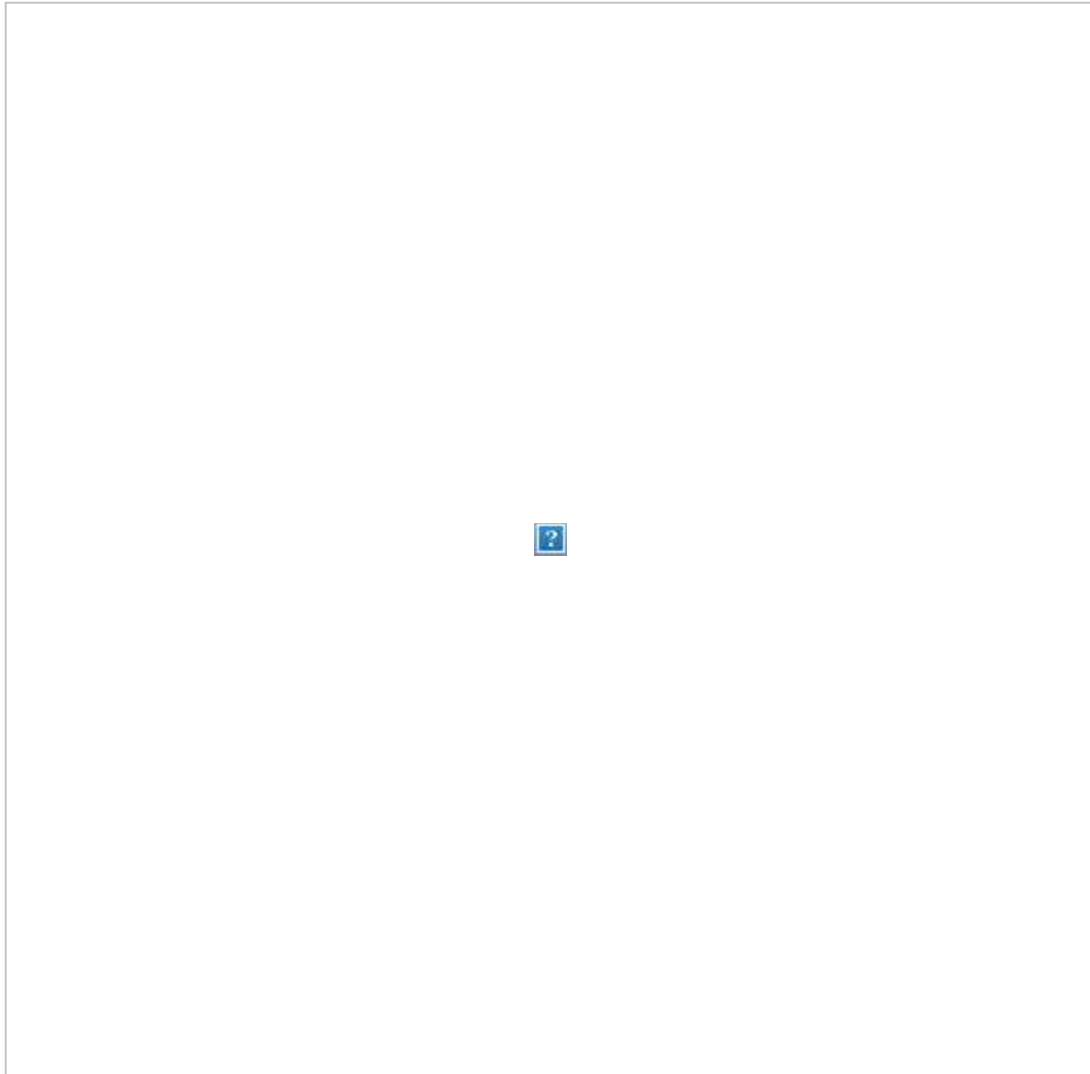
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Thank you!

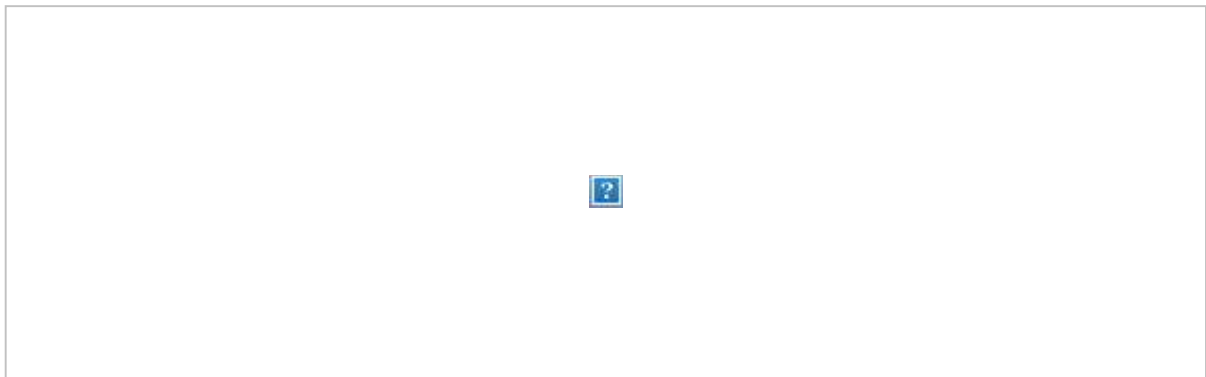
Best regards,
Amanda Coletti
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