Appendix A

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Appendix A

Scoping Materials

- Interagency and Scoping Meeting Materials
- Interagency Meeting Invitation Letters and Recipients
- Local Newspaper Notices
- Native American Tribe Letter and Recipient List
- Notice of Intent
- Post Card Scoping Advertisement
- Scoping Comment Summary

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South Dakota PrairieWinds Project Environmental Impact Statement

The NEPA Process

An Environmental Impact Statement (EIS) is being prepared under the direction of the U.S. Department of Energy (DOE), Western Area Power Administration (Western) and the U.S. Department of Agriculture, Rural Utilities Service (RUS) for the South Dakota PrairieWinds Project . The project proponent seeks an interconnection with Western and financing from RUS, and thus an EIS will be developed in accordance with National Environmental Policy Act (NEPA) requirements and agencies' implementing regulations.

Public involvement is part of the NEPA environmental review process. The public participation effort focuses on providing information to and gathering input from the public. You will have numerous opportunities to participate in the decision-making process as shown on the figure to the right.

How you can participate

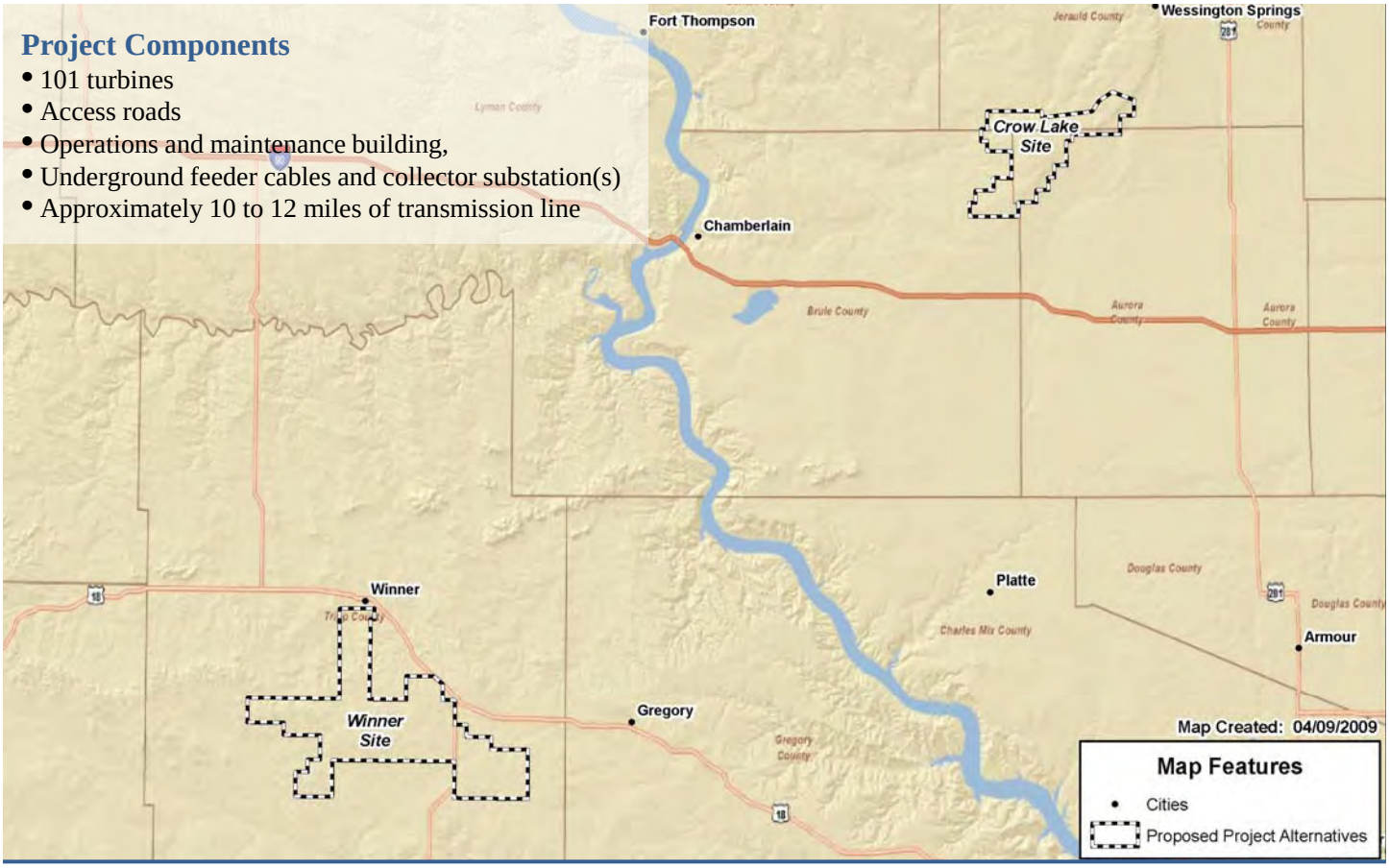
- Attend a public meeting. The meeting will provide the opportunity to ask questions, express concern, and submit written comments.

- Participate and provide comments during scoping as well as during the public review of the EIS. The availability of the Draft EIS and Final EIS will be announced. If requested, you will be provided the Draft EIS and Final EIS for review when completed.

- Designate on a comment form that you would like to be kept informed of the ongoing progress of this project and be included on the mailing list.

For more information on the proposed project:

Call the Project Phone Number: (800) 336-7288
Send an e-mail to the Project E-mail: sdprairiewinds@wapa.gov
Visit the Project Website: http://www.wapa.gov/sdprairiewinds.htm



Project Description

PrairieWinds SD1, Inc. (PrairieWinds), a wholly owned subsidiary of Basin Electric Power Cooperative (Basin Electric), is proposing to construct a new 151.5-megawatt (MW) wind energy facility at one of two locations in south-central South Dakota (see map to the right). Project components would include:

Power from the facility would be supplied to Basin Electric's customers through an interconnection with Western's transmission system. RUS is considering financing the project. Once environmental permitting is complete, and if the agency decisions are to go forward with the project, construction would begin Fall 2010/Winter 2010. Facility commercial operation is anticipated to begin in late 2010 or early 2011.

Project Purpose and Need

Incentives and regulations to encourage or require the generation of power from renewable or low environmental impact resources are being actively considered and/or implemented within the Basin Electric member service areas. A number of proposals for national Renewable Portfolio Standards (RPS) are pending in Congress.

Basin Electric's Participation: With members in nine states, Basin Electric recognizes the need for additional renewable energy capacity to service forecasted member load growth demands and to meet state mandated RPS. A 151.5-MW wind energy facility was determined to be the least-cost renewable resource option to satisfy these requirements.

PrairieWinds's Participation: A subsidiary of Basin Electric, and the project applicant. To be the owner and operator of the proposed project.

RUS's Participation: Co-lead agency for the EIS process, providing oversight of the NEPA process and preparation of the EIS. They are also considering granting financing assistance.

Western's Participation: Co-lead agency for the EIS process, providing oversight of the NEPA process and preparation of the EIS. They are also considering approval of an interconnection request.

Note, that consultation is occurring and Native American Tribes and agencies with jurisdiction or special expertise have been invited to be cooperating agencies

South Dakota PrairieWinds Project Environmental Impact Statement
Scoping Process

What is Scoping?

The Council on Environmental Quality's scoping definition (Sec. 1501.7) states:

> *There shall be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. This process shall be termed scoping.*

Scoping is the process by which Federal agencies invite other agencies, organizations, and the public to provide input on the scope of a project. More specifically, it is the process that Federal agencies utilize to get input on the issues and effects related to a proposed action and alternatives. The items identified are then addressed in an Environmental Impact Statement (EIS). The EIS is addressed in accordance with National Environmental Policy Act (NEPA) requirements and agencies' implementing regulations.

Scoping and the South Dakota PrairieWinds Project:

Western Area Power Administration (Western), an agency within the U.S. Department of Energy; Rural Utilities Service (RUS), an agency within the U.S. Department of Agriculture (USDA); are conducting scoping for the proposed South Dakota PraireWinds Project. Throughout the scoping period, written comments may be submitted to the address below. As a part of the scoping process, two scoping meetings are being held for this project. At these meetings, Western, RUS and PrairieWinds SD1, Inc. (PrairieWinds, the Applicant) representatives will be available for one-on-one discussions, to provide information about the proposed project, answer questions, and take verbal and written comments from interested parties.

Ways to Provide Comments:

We would appreciate any comments you have concerning the proposed project. We would like to ensure that important environmental concerns are addressed and that natural resources and places of interest within the project area are considered in the EIS. Comments on the project scope and alternatives should be received by **May 15, 2009**, to be considered in defining the scope for the Draft EIS. This is not your only opportunity to submit comments on the EIS. There will be additional opportunities for the public to provide input during the development of the EIS. Comments could be submitted through the project's web address, or sent by letter, fax or e-mail. Written comments on the scope of the EIS should be addressed to **Ms. Liana Reilly**, at the address listed below.

Ms. Liana Reilly
Document Manager
Western Area Power Administration
Corporate Services Office, A7400
P.O. Box 281213
Lakewood, Colorado 80228-8213
Fax: (720) 962-7263

Call the Project Phone Number: (800) 336-7288
Send an e-mail to the Project E-mail: sdprairiewinds@wapa.gov

Visit the Project Website: http://www.wapa.gov/sdprairiewinds.htm

How to Receive Additional Information:

For more information about the project, or if you would like to be included on the Project mailing list and/or to receive copies of the Draft and Final EIS, please provide your contact information to Ms. Liana Reilly, at the address above. For information on RUS financing please contact Mr. Dennis Rankin, Project Manager, Engineering and Environmental Staff, Rural Utilities Service, Utilities Program, 1400 Independence Ave. SW, Mail Stop 1571 Washington D.C. 20250-1571 telephone: (202) 720-1953, fax: (202) 720-0820 or e-mail: dennis.rankin@wdc.usda.gov.

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South Dakota PrairieWinds Project
Environmental Impact Statement (EIS)

Thank you for your interest in the proposed South Dakota PrairieWinds Project (Project). Please complete the appropriate sections of this form to be included on the Project mailing list and/or to provide comments. Written comments can be submitted at the Scoping Meeting, faxed to (720) 962-7263, mailed to the address on the back of this form or sent to the **Project Email Address: sdprairiewinds@wapa.gov.** Comments on the project scope and alternatives should be received by **May 15, 2009**, to be considered in defining the scope for the Draft EIS. For more information about the Project, please go to the **Project Website: http://www.wapa.gov/sdprairiewinds.htm.**

- ☐ I would like to be kept informed of the ongoing progress of this Project. Please include my name on the mailing list.
- ☐ I prefer electronic/email communication.
- ☐ I prefer paper mailings.

Please Print Contact Info Below

Name:	Organization:
E-mail address:	Daytime Phone No. (*optional):*
Street Address:	City / State / Zip Code:

Please indicate any questions, comments or concerns you have about the Project in the comment section below (continue on separate sheet if necessary).

Thank you for your time and interest in the South Dakota PrairieWinds Project.

Please fold in thirds and staple

Affix postage here

Ms. Liana Reilly
Western Area Power Administration
Corporate Services Office, A7400
P.O. Box 281213
Lakewood, Colorado 80228-8213

National Environmental Policy Act

The U.S. Department of Energy (DOE) prepared this brochure to encourage and help you to participate in the National Environmental Policy Act (NEPA) process. All Federal agencies must comply with NEPA, but their procedures vary. This brochure describes DOE's NEPA process, focusing on your role in DOE's preparation of Environmental Impact Statements (EISs).

What is NEPA?

NEPA is a Federal law that serves as the Nation's basic charter for environmental protection. It requires that all Federal agencies consider the potential environmental impacts of their proposed actions. NEPA promotes better agency decisionmaking by ensuring that high quality environmental information is available to agency officials and the public before the agency decides whether and how to undertake a major Federal action. Through the NEPA process, you have an opportunity to learn about DOE's proposed actions and to provide timely information and comments to DOE.

To implement NEPA, all Federal agencies follow procedures issued by the President's Council on Environmental Quality in the Code of Federal Regulations (40 CFR Parts 1500-1508). DOE also follows its own supplementary procedures, found in 10 CFR Part 1021.

How Does DOE Prepare an EIS?

The EIS process consists of several steps, each with opportunities for you to be involved.

- **Notice of Intent.** First, DOE publishes a Notice of Intent to prepare an EIS in the *Federal Register* and makes local announcements. This notice states the need for action and provides preliminary information on the EIS scope, including the alternative actions to be evaluated, the kinds of potential environmental impacts to be analyzed, and related issues. The Notice of Intent also serves as the beginning of the next step, the "scoping process."

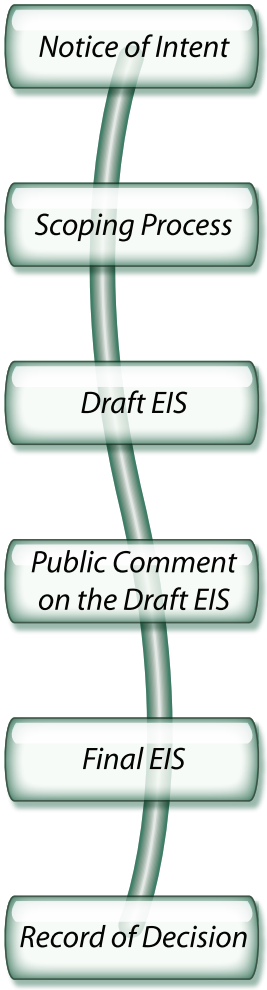
TIP: The Notice of Intent explains how you can participate in the scoping process and provides information about dates and locations of public meetings.

- **Scoping Process.** DOE requests your comments on the scope of the EIS. What alternatives should be evaluated? What potential environmental impacts should be analyzed? DOE's scoping process will last at least 30 days, with at least one public meeting.

TIP: During the scoping process, tell DOE what EIS information you would like to receive (e.g., a summary of the EIS or the full document on CD or on paper).

- **Draft EIS.** DOE considers scoping comments in preparing a Draft EIS. An EIS (Draft or Final) analyzes and compares the potential environmental impacts of the various alternatives, one of which is always a "no action" alternative. The EIS also discusses ways to avoid or reduce adverse impacts. A Draft EIS will identify DOE's preferred alternative(s) if known at the time.

TIP: DOE EIS schedules and related NEPA information are available at *http://www.eh.doe.gov/nepa*. DOE often has EIS-specific Web sites as well.



- **Public Comment on the Draft EIS.** After DOE issues a Draft EIS, the U.S. Environmental Protection Agency (EPA) publishes a Notice of Availability in the *Federal Register* to begin the public comment period, which will last at least 45 days. DOE also will announce details regarding how you may comment on the Draft EIS, either orally at a public hearing (at least one must be held) or in writing.

TIP: Check your local paper, the DOE NEPA Web site (*http://www.eh.doe.gov/nepa*, click on "What's New" or "NEPA Public Participation Calendar"), or other DOE notices for information about public hearings and ways to submit comments.

- **Final EIS.** DOE considers all timely public comments on the Draft EIS in preparing the Final EIS, which must respond to such comments. The Final EIS identifies DOE's preferred alternative(s). After DOE issues the Final EIS, EPA publishes a Notice of Availability in the *Federal Register*.

- **Record of Decision.** DOE must wait at least 30 days after the EPA Notice of Availability of the Final EIS before issuing a Record of Decision. A Record of Decision announces and explains DOE's decision and describes any commitments for mitigating potential environmental impacts.

TIP: DOE publishes Records of Decision in the *Federal Register* and makes them available on the DOE NEPA Web site. You may also ask DOE to send you a copy.

How Does NEPA Work?

Early in its planning process for a proposed action, DOE considers how to comply with the National Environmental Policy Act (NEPA). The appropriate level of review depends on the significance (i.e., the context and intensity) of the potential environmental impacts associated with the proposed action. There are three levels of NEPA review:

- **Environmental Impact Statement (EIS) –** For major Federal actions that may significantly affect the quality of the human environment, NEPA requires preparation of an EIS. An EIS is a detailed analysis of the potential environmental impacts of a proposed action and the range of reasonable alternatives. Public participation is an important part of the EIS process.

- **Environmental Assessment (EA) –** When the need for an EIS is unclear, an agency may prepare an EA to determine whether to prepare an EIS or to issue a Finding of No Significant Impact. An EA is a brief analysis. DOE's procedures provide notification and comment opportunities for host states and tribes. DOE also may provide notification and comment opportunities for other interested people. DOE then considers any comments received, makes revisions as appropriate, and issues the EA.

- **Categorical Exclusion –** DOE's NEPA regulations list classes of actions that normally do not require an EIS or an EA because, individually or cumulatively, they do not have the potential for significant environmental impacts. Examples are information gathering activities and property transfers when the use is unchanged.

How Can I Learn More?

We encourage you to learn more about NEPA, the EIS process, and DOE's current NEPA activities by visiting or contacting the following:

- DOE's NEPA Web site at *http://www.eh.doe.gov/nepa* – to learn about upcoming opportunities to participate in DOE's NEPA process, download DOE NEPA documents, and find requirements and guidance that DOE follows for NEPA implementation.

- DOE's Office of NEPA Policy and Compliance at 1-800-472-2756 (toll-free) – to leave a message regarding EIS-specific or general NEPA information.

- The Council on Environmental Quality's NEPAnet at *http://ceq.eh.doe.gov/nepa/nepanet.htm* – for government-wide NEPA information.

Office of NEPA
Policy and Compliance

Printed on recycled paper

DOE, NEPA, and You

A Guide to Public Participation

South Dakota PrairieWinds
Wind Energy Project



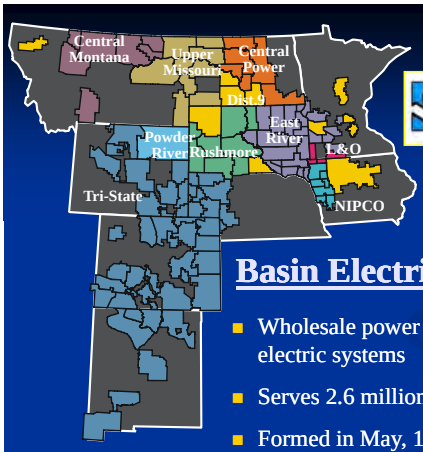
USDA Rural Development | Basin Electric Power Cooperative | PrairieWinds Energy in Motion | Western Area Power Administration

Outline of Presentation

- Basin Electric Information
- Proposed Project Purpose and Need
- Proposed Project Details
- Permitting Process and NEPA Schedule
- Comparison of Wind Speed and Energy Generation
- Example Photos
- Additional Considerations
- Scoping Meeting Format

South Dakota PrairieWinds
Wind Energy Project

Basin Electric Information



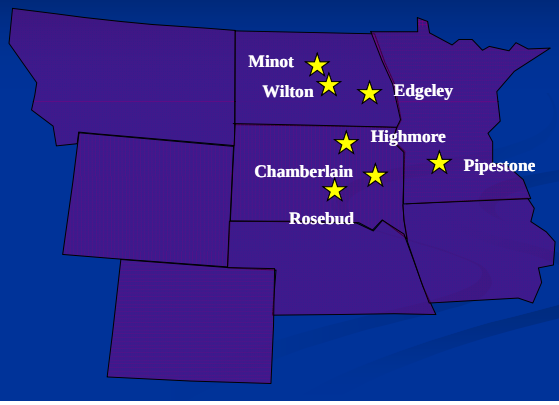
BASIN ELECTRIC POWER COOPERATIVE
Your Touchstone Energy® Cooperative

Basin Electric Information:

- Wholesale power supplier to 126-member rural electric systems
- Serves 2.6 million consumers
- Formed in May, 1961 as supplemental power supplier
- Consumer-owned; consumer-controlled

Basin Electric's Wind Portfolio

Existing Wind Energy Generation – 136 MW



South Dakota PrairieWinds

Wind Energy Project

Proposed Project Purpose and Need

Purpose and Need

- Current incentives/regulations encourage or require power from renewable or low environmental impact resources
- Proposals in Congress for national Renewable Portfolio Standards (RPS)
- Basin Electric needs additional renewable energy capacity to serve forecasted growth demands and meet state-mandated RPS
  - A 150 MW wind project was determined to be the best alternative to satisfy these requirements
  - Applicant – PrairieWinds SD1, Incorporated, a wholly owned subsidiary of Basin Electric

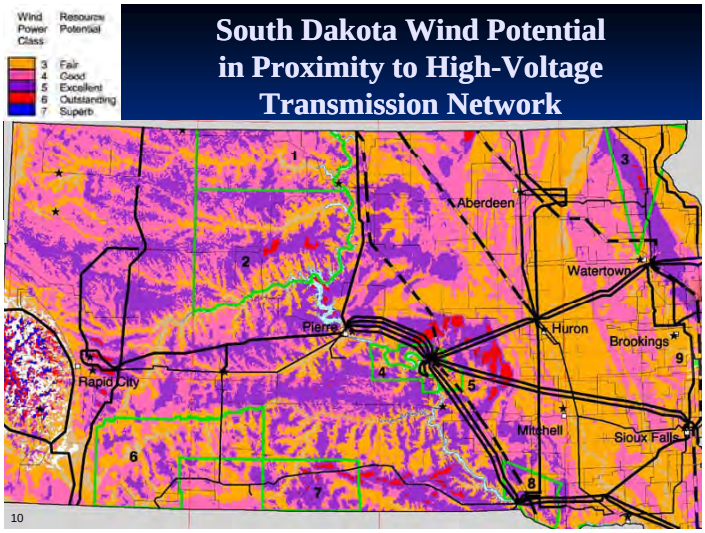
Agencies Involved

- Western's Action – Basin Electric has requested to interconnect the proposed Project with Western's transmission system
- RUS's Action – PrairieWinds has requested financing for the proposed Project from the RUS
- Both agencies intend to jointly prepare an environmental impact statement (EIS) for the Project

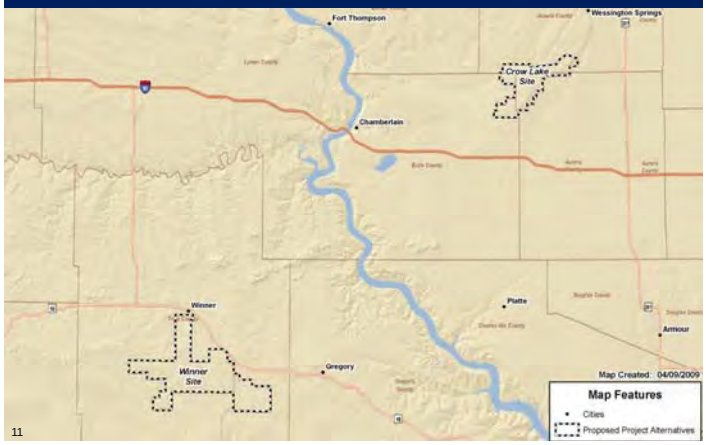
South Dakota PrairieWinds
Wind Energy Project

Proposed Project Details

South Dakota Wind Potential in Proximity to High-Voltage Transmission Network



Proposed Project Alternatives



Project Details

- Will generate approximately 150 MW
- 2 site alternatives - Project components:
  - 101 turbines,
  - Access roads,
  - O&M building,
  - Underground feeder cables and collector substation(s),
  - Approximately 10 to 12 miles of transmission line
- Fall 2010/Winter 2010 – commercial operation

GE 1.5sle Turbine Specifications

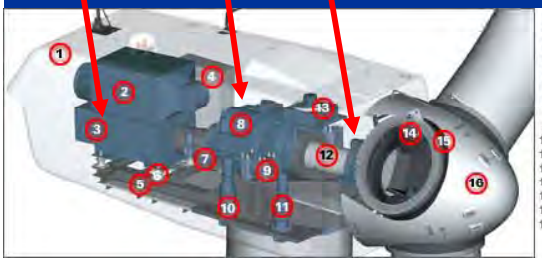
- Variable speed – blades rotate at 12 to 23 RPM
- Start-up wind speed: approximately 7 to 8 MPH
- Shut-down wind speed: approximately 56 MPH
- Optimum wind speed: 26 to 55 MPH
- Operational temperature range: - 20º to 104º F
- Variable pitch blades
- High tech electronic controls
- 3 fiberglass blades (14,000 lbs per blade)
- Hub height: 262 feet
- Blade length:135 feet

3 Major Components of Turbines

Generator

Gearbox

Rotor/Blades/Main Shaft



South Dakota PrairieWinds
Wind Energy Project

Permitting Process and NEPA Schedule

Permitting Process –
Scoping and environmental analysis

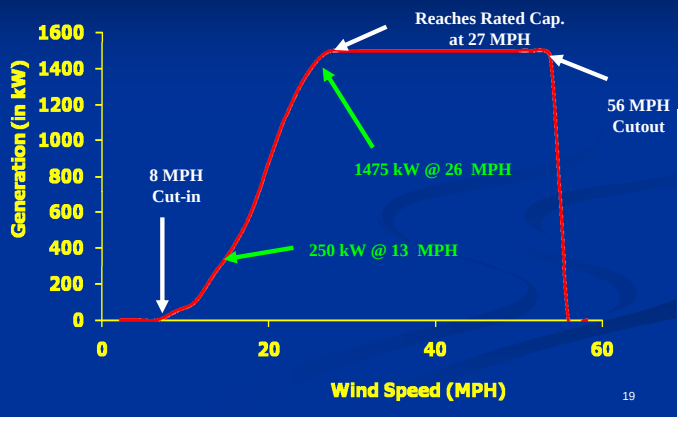
- NEPA
  - Scoping to gain agency, organization, and public input
  - Environmental Impact Statement
  - Agency involvement:
    financing – RUS
    interconnection – Western
- South Dakota Public Utilities Commission – siting approval
- Local zoning
- Other pre-construction permits and authorizations

South Dakota PrairieWinds
Wind Energy Project

Comparison of Wind Speed and Energy Generation

Power Curve:

A 1 MPH change in annual average speed can change production by 15%



South Dakota PrairieWinds
Wind Energy Project

Example Photos:

- •Turbine Construction
- • Collector Substation
- • Transmission Structures
- • Facility Layout

Initial Construction Step: Complete Foundation

21

Construction of Turbines

22

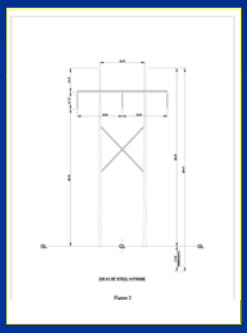
Completed Turbines

23

Collector Substation
(Example Only)

24

Typical Transmission Structure



Facility Layout

(Example Only)

South Dakota PrairieWinds
Wind Energy Project

Additional Considerations:

- Potential Local Benefits
- Schedule and Cost

Potential Local Benefits

- Project construction
  - Increase demand for local lodging, meals and construction materials
  - 225 - 250 temporary jobs
- Project operation
  - 10-12 permanent jobs
- Increase tax base
- Increase renewable energy capacity, and system reliability

Proposed Schedule/Cost

- Obtain permits/approvals – ongoing
- Summer 2010 – begin construction
- Fall 2010/Winter 2010 – commercial operation
- Project cost estimate = $350 million

South Dakota PrairieWinds
Wind Energy Project

Scoping Meeting Format

Open House Scoping Meeting

- Please sign in at the registration table
- Feel free to visit the various stations around the room
- Ask questions
- Provide input
- Your comments are important to this process

Thank You

Welcome to:

South Dakota PrairieWinds Project

Scoping Meeting

USDA Rural Development

BASIN ELECTRIC POWER COOPERATIVE

PRAIRIEWINDS ENERGY IN MOTION

Western AREA POWER ADMINISTRATION

Outline of Presentation

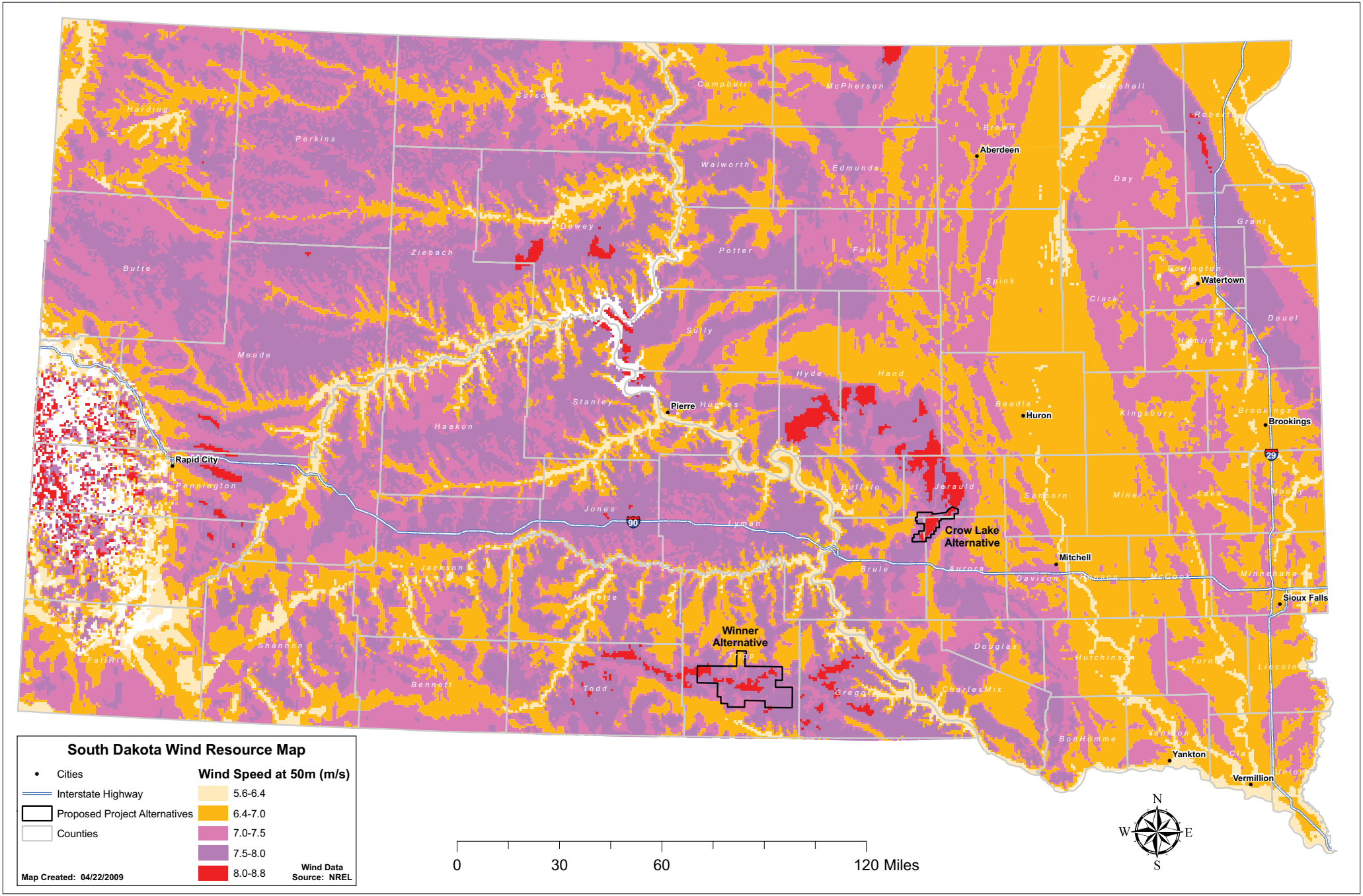
- Basin Electric Information
- Proposed Project Purpose and Need
- Proposed Project Details
- Permitting Process and NEPA Schedule
- Comparison of Wind Speed and Energy Generation
- Example Photos
- Additional Considerations
- Scoping Meeting Format

Basin Electric's Project Objectives

Renewable Energy Goals

- **Meet current incentives/regulations that encourage or require power from renewable or low environmental impact resources**
- **Conform with proposals in Congress for national Renewable Portfolio Standards (RPS)**
- **Basin Electric needs additional renewable energy capacity to serve forecasted growth demands and meet state-mandated RPS**
  - **A 150 MW wind project was determined to be the best alternative to satisfy these requirements**
  - **Applicant – PrairieWinds SD1, Incorporated, a wholly owned subsidiary of Basin Electric**

USDA Rural Development | BASIN ELECTRIC POWER COOPERATIVE | PRAIRIEWINDS ENERGY IN MOTION | Western AREA POWER ADMINISTRATION


South Dakota Wind Resource Map
Cities
Interstate Highway
Proposed Project Alternatives
Counties
Wind Speed at 50m (m/s)
5.6-6.4
6.4-7.0
7.0-7.5
7.5-8.0
8.0-8.8
Map Created: 04/22/2009
Wind Data Source: NREL
Crow Lake Alternative
Winner Alternative
Aberdeen
Watertown
Pierre
Huron
Brookings
Rapid City
Mitchell
Sioux Falls
Yankton
Vermillion
Harding
Perkins
Campbell
McPherson
Marshall
Walworth
Edmunds
Brown
Day
Grant
Dewey
Ziebach
Potter
Faulk
Butte
Spink
Clark
Deuel
Meade
Sully
Hyde
Hand
Hamlin
Stanley
Haakon
Beadle
Kingsbury
Pennington
Jones
Buffalo
Jerauld
Sanborn
Miner
Lake
Moody
Lyman
Brule
Aurora
Davison
Minnehaha
Jackson
Douglas
Hutchinson
Turner
Lincoln
Shannon
Bennett
Todd
Gregory
Charles Mix
Bon Homme
Clay
Union
0
30
60
120 Miles
N
W
E
S

Preliminary siting parameters for turbine locations:

- ❑ Wind potential and topography
- ❑ Ability to lease contiguous parcels of land
- ❑ Minimum distance of 400 feet from section lines or existing roads
- ❑ Minimum distance of 1000 feet from occupied residences
- ❑ Minimum distance of 400 feet from existing transmission line
- ❑ Avoidance of hydric soils areas
- ❑ Siting on USFWS grasslands easements was near edges to minimize impact
- ❑ 1000 to 2000-foot minimum between turbine locations within the predominant wind direction
- ❑ Avoid siting within existing micro-wave paths

Preliminary siting parameters for transmission line locations:

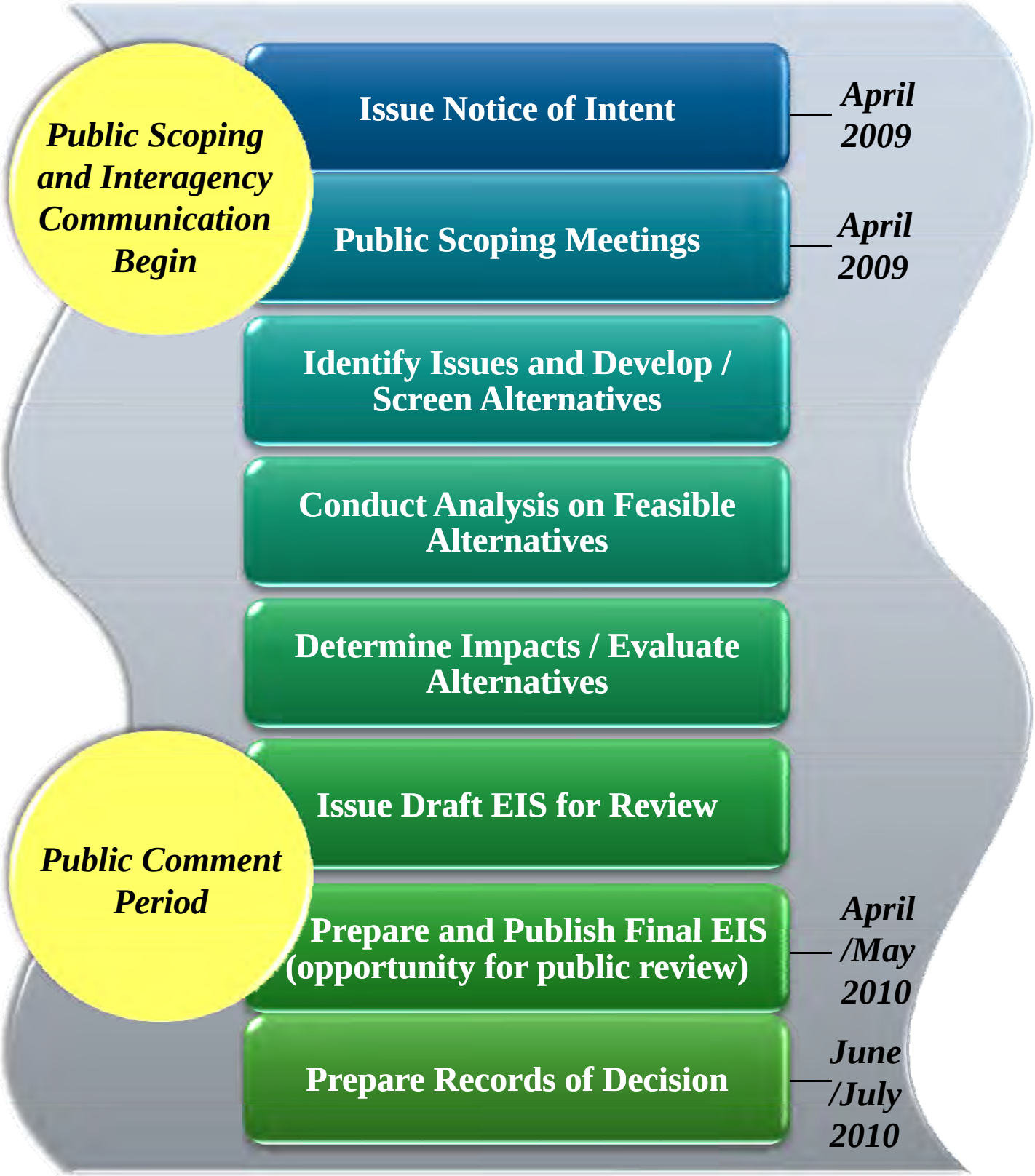
- ❑ Minimization of transmission line length
- ❑ Consider right-of-way requirements and availability of contiguous parcels of land
- ❑ Land use considerations (i.e., potential visual impacts, proximity to residences, potential impact to agricultural activities, and existing/future land use)
- ❑ Environmental resource considerations such as potential impacts to sensitive resources (i.e., cultural resources, wildlife, vegetation, and wetlands
- ❑ Jurisdiction and regulatory considerations
- ❑ Consider airport height restrictions

Further siting analysis through EIS process:

- ❑ Geology, Soils, Paleontology, and Seismicity
- ❑ Water Resources
- ❑ Climate Change and Air Quality
- ❑ Biological Resources
- ❑ Wetlands/Riparian Areas
- ❑ Cultural Resources
- ❑ Land Use
- ❑ Transportation
- ❑ Recreation
- ❑ Visual Resources
- ❑ Noise
- ❑ Socioeconomics
- ❑ Environmental Justice
- ❑ Health and Safety

USDA Rural Development · Basin Electric Power Cooperative · PrairieWinds Energy in Motion · Western Area Power Administration

ENVIRONMENTAL IMPACT STATEMENT PROCESS



USDA Rural Development

BASIN ELECTRIC POWER COOPERATIVE
A Touchstone Energy® Cooperative

PRAIRIE WINDS ENERGY IN MOTION

Western AREA POWER ADMINISTRATION

Western's Role and Need for Agency Action

Who is Western?

- Agency within the USDOE
- Owns, operates and maintains transmission lines including lines near the proposed PrairieWinds project
- Markets federal hydroelectric power including power from power plants on the Missouri River

Why is Western involved?

- Evaluate interconnection request per its generator interconnection procedures
- Evaluate involvement
- Co-lead for NEPA process

USDA Rural Development | BASIN ELECTRIC POWER COOPERATIVE | PRAIRIEWINDS ENERGY IN MOTION | Western AREA POWER ADMINISTRATION

RUS's Role and Need for Agency Action

Who is RUS?

- Formerly the Rural Electrification Administration
- Agency within the USDA
- Delivers USDA's Rural Development Utilities Programs
- Makes loans/loan guarantees for electric distribution, transmission and generation facilities, telecommunication facilities and water and waste water facilities

Why is RUS involved?

- Evaluate financing request
- Evaluate engineering and technical aspects of the project
- Co-lead for NEPA process

April 09, 2009

Gail Arnott
President
Wessington Springs Area Development Corporation
P.O Box 132
Wessington Springs, SD 57382

Dear Gail Arnott:

The purpose of this letter is to inform you of a proposed project and to provide notice that Western and RUS intend to prepare an Environmental Impact Statement (EIS) addressing their respective Federal actions. This letter also serves as an invitation for your agency to participate in our interagency meeting on April 28th and to attend scoping meetings for the project.

PrairieWinds SD1, Incorporated (PrairieWinds), a subsidiary of Basin Electric Power Cooperative (Basin Electric), has proposed to develop a wind-powered generating facility in south-central South Dakota, either near Wessington Springs or near Winner. Basin Electric has requested to interconnect the proposed project with Western Area Power Administration's (Western) transmission system. PrairieWinds has requested financing for the proposed project from the Rural Utilities Service (RUS), an agency within the U.S. Department of Agriculture (USDA).

Basin Electric's generator interconnection request and PrairieWinds's financing request triggers a National Environmental Policy Act (NEPA) review process of the proposed project by Western and RUS, respectively. Western and RUS are serving as co-lead Federal agencies for preparation of the EIS. Western will serve as the lead Federal agency for consultations with the U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act and for consultations with the South Dakota State Historic Preservation Office under section 106 of the National Historic Preservation Act.

Western and RUS invite you to attend an interagency meeting occurring on April 28, 2009, to provide you input on the proposed project's scoping process. During the meeting we would like

to discuss the project component details, obtain input to understand any issues that your Agency believes are important in the EIS analysis, and review the project schedule. The interagency meeting details are as follows:

Best Western Ramkota Hotel
920 W Sioux Ave
Pierre, South Dakota 57501-1800
Tuesday, April 28, 2009
9 a.m. to 11 a.m.

Western and RUS are conducting scoping, including open-house public scoping meetings, to ensure that interested members of the public, potentially affected landowners and lessees, and Federal, state, local, and tribal agencies have an opportunity to provide input on the scope of the EIS and the alternatives that will be addressed in the EIS. Western, RUS, and PrairieWinds representatives will be available at the scoping meetings for one-on-one discussions, to provide information about the proposed project, answer questions, and take verbal and written comments from interested parties. Information for each alternative wind generating site will be available at two public scoping meetings as follows:

Holiday Inn Express and Suites
1360 East Highway 44
Winner, South Dakota 57580
Tuesday, April 28, 2009
4 p.m. to 7 p.m.

Commerce Street Grille
118 North Main Street
Plankinton, South Dakota 57368
Wednesday, April 29, 2009
4 p.m. to 7 p.m.

The proposed PrairieWinds project would involve the installation and operation of a 150-megawatt (MW) wind energy facility that would feature 101 wind turbine generators. Each turbine generator would have a hub height of 262 feet and a turbine rotor diameter of 252 feet. The total height of each wind turbine would be 389 feet with a blade in the vertical position. The towers would be constructed of tubular steel, approximately 15 feet in diameter at the base, with internal joint flanges. The color of the towers and rotors would be standard white or off-white. During construction, a work/staging area at each turbine would include the crane pad and rotor assembly area, temporarily disturbing an area about 190 feet by 210 feet.

Each wind turbine would be connected by a service road for access and a 34.5-kilovolt (kV) buried electrical collection system that would ultimately route the power from each turbine to a central collector substation, where voltage would be stepped up for interconnection to Western's transmission system. About 30 to 40 miles of new access roads would be built to facilitate both

construction and maintenance of the turbines. Approximately 25 to 35 miles of existing roads would be used and, where appropriate, improved.

Two sites for the wind-powered generation facility are under consideration (see enclosed map). One site is located on about 37,000 acres and is approximately 15 miles north of White Lake, South Dakota, within Brule, Aurora, and Jerauld counties. The other alternative site would be located within an area about 83,000 acres, and is about 8 miles south of Winner, South Dakota, and is entirely within Tripp County.

The site that is approximately 37,000 acres near White Lake, South Dakota, would require a new 230-kV transmission line to deliver the power from the collector substation(s) to a new 230-kV Western interconnection point at Western's Wessington Springs Substation, located in Jerauld County. The Wessington Springs Substation is located approximately 9 to 12 miles from the proposed collector substation(s). The proposed line would be built using wood or steel H-frame (two pole) structures or steel single-pole structures. The structures would be about 85 to 95 feet high and span about 800 feet.

The other alternative site, approximately 83,000 acres near Winner, South Dakota, would require a 34.5-kV to 115-kV collector substation(s) as well as a 115-kV transmission line to interconnect to Western's existing 115-kV Winner Substation. Other facilities necessary for this site would be similar to those described for the site above.

The no action alternative will also be considered.

There is a chance that the final interconnection studies will conclude that other transmission facilities, such as network upgrades remote from the project site, would be required. If the project moves forward and it is determined that other facilities are needed to support the interconnection request, Western and RUS will complete the appropriate level of environmental review.

We want to ensure that any important environmental concerns and natural resources and/or places of interest for your Agency within the project area are considered and addressed in the EIS. At this time, we would appreciate receiving any information that you would be willing to share with us on any unique or special resources or areas in or near the proposed project. If you are aware of any other individuals or affiliated organizations that should be consulted regarding this project, please let us know. A full list of all other agencies and individuals receiving this letter is enclosed.

If any additional agency representatives wish to be added to the project's mailing list and/or receive a copy of the Draft and Final EIS, please contact Ms. Liana Reilly or Mr. Dennis Rankin

at the phone numbers or addresses listed below. Comments on the project scope and alternatives should be received by May 15, 2009, to be considered in defining the scope for the Draft EIS. Comments on the proposed project will be accepted and considered throughout the NEPA process.

During this scoping phase, we would like to obtain input to understand any issues that your Agency believes are important. Western and RUS request that you comment on the proposal, offer suggestions to improve the proposal and suggest alternative actions. Please identify any issues of concern about potential environmental impacts. Please address comments, questions or concerns to Ms. Liana Reilly or Mr. Dennis Rankin at the addresses below.

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Document Manager
Western Area Power Administration
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P.O. Box 281213
Lakewood, Colorado 80228-8213
Phone: (720) 962-7253 or (1-800) 336-7288
Fax: (720) 962-7263
E-mail: sdprairiewinds@wapa.gov

Mr. Dennis Rankin
Project Manager
Engineering and Environmental Staff
Rural Utilities Service, Utilities Program
1400 Independence Ave. SW, Mail Stop 1571
Washington D.C. 20250-1571,
Phone: (202) 720-1953
Fax: (202) 720-0820
E-mail: dennis.rankin@wdc.usda.gov

We look forward to hearing from you.

Sincerely,

Nicholas J Stas

Nick Stas

Environmental Manager
Upper Great Plains Region
Western Area Power Administration

Enclosures

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April 09, 2009

Natalie Gates
US Fish and Wildlife Service
Federal Wildlife Regulations
420 South Garfield Ave, Suite 400
Pierre, SD 57501

Dear Natalie Gates:

The purpose of this letter is to inform you of a proposed project and to provide notice that Western and RUS intend to prepare an Enivornmental Impact Statement (EIS) addressing their respective Federal actions. This letter also serves as an invitation for an interagency meeting as well as provides information to you about our scoping process.

PrairieWinds SD1, Incorporated (PrairieWinds), a subsidiary of Basin Electric Power Cooperative (Basin Electric), has proposed to develop a wind-powered generating facility in south-central South Dakota, either near Wessington Springs or near Winner. Basin Electric has requested to interconnect the proposed project with Western Area Power Administration's (Western) transmission system. PrairieWinds has requested financing for the proposed project from the Rural Utilities Service (RUS), an agency within the U.S. Department of Agriculture (USDA).

Basin Electric's generator interconnection request and PrairieWinds's financing request triggers a National Environmental Policy Act (NEPA) review process of the proposed project by Western and RUS, respectively. Western and RUS are serving as co-lead Federal agencies for preparation of the EIS. Western will serve as the lead Federal agency for consultations with the U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act and for consultations with the South Dakota State Historic Preservation Office under section 106 of the National Historic Preservation Act.

Western and RUS invite you to attend an interagency meeting occurring on April 28, 2009 to provide you input on the proposed project's scoping process. During the meeting we would like

to discuss the project component details, obtain input to understand any issues that your Agency believes are important in the EIS analysis, and review the project schedule. The interagency meeting details are as follows:

Best Western Ramkota Hotel
920 W Sioux Ave
Pierre, South Dakota 57501-1800
Tuesday, April 28, 2009
9 a.m. to 11 a.m.

In addition, this letter serves to invite your agency to become a cooperating agency in the EIS process for the proposed project. The Council on Environmental Quality NEPA Implementing Regulations (40 CFR part 1501.6) emphasizes agency cooperation and authorizes the designated lead Federal agency to request that other Federal agencies with jurisdiction by law be a cooperating agency. Additionally, the lead Federal agency may request that any other Federal agency with special expertise with respect to any environmental issue to be addressed in the EIS also be a cooperating agency. Designated cooperating agencies have certain responsibilities to support the NEPA process, as specified in 40 CFR 1501.6 (b). The benefits of becoming a cooperating agency include disclosure of relevant information early in the EIS process and establishment of a mechanism to address any intergovernmental issues. Should your agency decide not to become a formal cooperating agency for the EIS, you will continue to be kept informed of project developments through the project mailing list, and you will receive the draft and final EIS documents. Any concerns or comments your agency provides to us during the NEPA process, and in a timely fashion, will be fully considered in finalizing the EIS and our Records of Decision (RODs).

The proposed PrairieWinds project would involve the installation and operation of a 150-megawatt (MW) wind energy facility that would feature 101 wind turbine generators. Each turbine generator would have a hub height of 262 feet and a turbine rotor diameter of 252 feet. The total height of each wind turbine would be 389 feet with a blade in the vertical position. The towers would be constructed of tubular steel, approximately 15 feet in diameter at the base, with internal joint flanges. The color of the towers and rotors would be standard white or off-white. During construction, a work/staging area at each turbine would include the crane pad and rotor assembly area, temporarily disturbing an area about 190 feet by 210 feet.

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Document Manager
Western Area Power Administration
Corporate Services Office - A7400,
P.O. Box 281213
Lakewood, Colorado 80228-8213
Phone: (720) 962-7253 or (1-800) 336-7288
Fax: (720) 962-7263
E-mail: reilly@wapa.gov

Mr. Dennis Rankin
Project Manager
Engineering and Environmental Staff
Rural Utilities Service, Utilities Program

1400 Independence Ave. SW, Mail Stop 1571
Washington D.C. 20250-1571,
Phone: (202) 720-1953
Fax: (202) 720-0820
E-mail: dennis.rankin@wdc.usda.gov

We look forward to hearing from you.

Sincerely,

Nick Stas
Environmental Manager
Upper Great Plains Region
Western Area Power Administration

Enclosures

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Agencies and Individuals who Received the Invitations

** Those with an asterisk were invited to be a cooperator*

* Aurora County Weed Supervisor
* Brule County Weed Supervisor & Highway
* Bureau of Indian Affairs
* Commission Chairperson for Chamberlain, South Dakota
* Commission Chairperson for Plankinton, South Dakota
* Commission Chairperson for Wessington Springs, South Dakota
* Commission Chairperson for Winner, South Dakota
DOE - South Dakota State NEPA Contact
Ducks Unlimited
Environmental Protection Agency, Region 8
* Farm Service Agency
Federal Emergency Management Agency
* Federal Highway Administration
* Highway Superintendent for Wessington Springs, South Dakota
* Jerauld County Weed Supervisor
Mayor of Wessington Springs, South Dakota
Mayor of Winner, South Dakota
Natural Resource Conservation Service
Nature Conservancy
Plankinton City Hall
Sierra Club
South Dakota Aeronautics Commission
South Dakota Department of Health
* South Dakota Department of Transportation
South Dakota Dept of Agriculture
South Dakota Dept of Environment and Natural Resources
South Dakota Forest Service
* South Dakota Game, Fish, and Parks
South Dakota Governor's Office
South Dakota Highway Patrol
South Dakota Indian Affairs Commission
* South Dakota Public Utilities Commission
South Dakota Senator
South Dakota State Historic Preservation Office
South Dakota State Historical Society
South Dakota State Land Department
South Dakota State Representative
South Dakota Transmission Authority
* Tripp County Weed Supervisor
* US Army Corps of Engineers
* US Fish and Wildlife Service
USGS Northern Prairie Wildlife Research Center
USGS South Dakota State University
Wessington Springs Area Development Corporation

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YOU ARE INVITED!

TO A PUBLIC MEETING

The USDA Rural Utilities Service (RUS) and Western Area Power Administration (Western) are hosting two open-house public meetings to discuss a new 150-megawatt wind energy project.

PrairieWinds SD1, Inc., (PrairieWinds), a subsidiary of Basin Electric Power Cooperative, proposes to construct 101 wind turbines in one of two alternate locations. One location would be south of Wessington Springs, approximately **10 miles north of the town of White Lake**, in Aurora, Jerauld and Brule counties in South Dakota. The other location would be approximately **15 miles south of the town of Winner**, in Tripp County, South Dakota.

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NEED MORE INFORMATION?

Liana Reilly
Western Area Power Administration
Corporate Services Office
A7400 P.O. Box 281213
Lakewood, Colorado 80228-8213
email: sdprairiewinds@wapa.gov
Phone: 1-800-336-7288

Western AREA POWER ADMINISTRATION

USDA Rural Development

Or visit the Project Web site at:
www.wapa.gov/transmission/sdprairiewinds.htm

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161672-040809

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Earth Day messages

and installing energy-efficient appliances and light bulbs in their homes.

In addition, beef producers ap-

...ial
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TRIPP COUNTY Historical Society
Preserving our past... For our future!

...ssible. If you have a picture or early ...an be returned to you. It is difficult ... Please help us preserve history.

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...ed "Independence on the ... didn't control where the ...ll in 1913...it was at the ...e cow.

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160164-042209

Dismissed on motion by...

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Department of Energy
Western Area Power Administration
Upper Great Plains Customer Service Region
P.O. Box 35800
Billings, MT 59107-5800

SEE ATTACHED LIST

Dear Honorable Chairperson, Mr. Lester Thompson:

Western Area Power Administration (Western), a power-marketing agency of the U.S. Department of Energy, has received a request to interconnect its transmission system near Wessington Springs, South Dakota with a wind generating facility that has been proposed by PrairieWinds, SD1, Incorporated (PrairieWinds), a subsidiary of Basin Electric. PrairieWinds has applied for financial assistance for the proposed project from the Rural Utility Service (RUS), an agency which administers the U.S. Department of Agriculture's Rural Development Utilities Programs. Western and RUS are considering these respective requests thereby making the project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR Part 800). In accordance with 36 CFR § 800.2(a)(2), Western will serve as the lead agency for the purposes of Section 106 review.

The purpose of this letter is to inform you of the proposed project and to provide notice that Western and RUS intend to prepare an Environmental Impact Statement (EIS) addressing their respective Federal actions. This letter also serves to initiate Government-to-Government consultation. With this letter, Western and RUS invite your participation in the reviews conducted under the National Environmental Policy Act (NEPA) and Section 106 of NHPA..

The proposed PrairieWinds project would involve the installation and operation of a 150 megawatt (MW) wind energy facility that would feature 101 wind turbines (WTG). Each turbine generator would have a hub height of 262 feet and a turbine rotor diameter of 252 feet. The total height of each wind turbine would be 389 feet with a blade in the vertical position. The towers would be constructed of tubular steel, approximately 15 feet in diameter at the base, with internal joint flanges. The color of the towers and rotors would be standard white or off-white. During construction, a work/staging area at each turbine would include the crane pad and rotor assembly area, temporarily disturbing an area about 190 feet by 210 feet.

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The other alternative site, near Winner entirely in Tripp County, South Dakota, would be located within an area about 83,000 acres and require 34.5-kV to 115-kV collector substation(s) as well as a 115-kV transmission line to interconnect to Western's existing 115-kV Winner Substation. Other facilities would be similar to those described for the first alternative site above.

There is a chance that the final interconnection studies will conclude that other transmission facilities, such as network upgrades remote from the project site, would be required. If it is determined that other facilities are needed to support the interconnection request, Western will complete the appropriate level of environmental review.

Western and RUS are serving as co-lead Federal agencies under NEPA for preparation of the EIS. With this notice, you are invited to be cooperating agency. Designated cooperating agencies have certain responsibilities to support the NEPA process, as specified at 40 CFR 1501.6 (b).

Cultural resources are among the important environmental resources that will be addressed during the planning and the preparation of the EIS for the proposed project. We want to ensure that any important cultural and natural resources and/or places with traditional cultural significance for your Tribe within the project area are considered and addressed in the NEPA and Section 106 reviews. At this time, we would appreciate receiving any information that you would be willing to share with us on any unique, special, ethnographic, or archaeological resources or areas in or near the proposed Project. If you are aware of any other Tribes, individuals, or tribally affiliated organizations that should be consulted regarding this project, please let us know. A list of the other Tribes receiving this invitation to government-to-government consultation is enclosed.

Western and RUS are conducting scoping, including public scoping meetings, to ensure that interested members of the public, potentially affected landowners and lessees, and Federal, state, local, and tribal agencies have an opportunity to provide input on the scope of the EIS and the alternatives that will be addressed in the EIS. Western, RUS, and Project representatives at the scoping meetings will provide information about the proposed project, answer questions, and will take comments from interested parties. Western and RUS request that you comment on the proposal, offer suggestions to improve the proposal and suggest alternative actions. Please identify any issues of concern about potential environmental impacts. Written comments may be left with one of the Western or RUS representatives at the scoping meeting, or may be provided by fax, e-mail or the U.S. Postal Service to Ms. Liana Reilly or Steve Tromly, or by mailing the enclosed addressed response sheet.

Western will coordinate its compliance with Section 106 and its implementing regulations (36 CFR Part 800) with the steps taken to meet the requirements of NEPA. As part of this effort, Western will

use its NEPA procedures for public involvement to meet its responsibility to seek and consider the views of the public in Section 106 review, pursuant to 36 CFR § 800.2(d).

The open-house public scoping meetings will be held at the Holiday Inn Express and Suites, 1360 East Highway 44, in Winner South Dakota, on April 28, 2009, and the Commerce Street Grille, 1218 North Main Street, in Plankinton, South Dakoka on April 29, 2009. You may attend a meeting of your choosing at any time between 4 and 7 p.m. You will have the opportunity to view the proposed project and NEPA process displays and other information.

If you wish to be added to the project's mailing list and/or receive a copy of the Draft EIS, please return the response sheet or contact Ms. Liana Reilly at the phone number or address listed below. Comments on the project scope and alternatives should be received by May 15, 2009, to be considered in defining the scope for the EIS. Comments on the proposed project will be accepted and considered throughout the NEPA process.

We would like to obtain input to understand any issues that you or your Tribe believes are important. We will also follow up with a telephone call to discuss issues and, if requested, arrange a site visit. Please address comments, questions or concerns to Ms. Liana Reilly or Mr. Steve Tromly, at the addresses below.

Ms. Liana Reilly
NEPA Document Manager
Western Area Power Administration
Natural Resource Office
12155 West Alameda Parkway
Lakewood, CO 80228-8213
Phone: (720) 962-7253
Fax: (720) 962-7263
E-mail: reilly@wapa.gov

Mr. Steve Tromly
Native American Liaison
Western Area Power Administration
Natural Resource Office
12155 West Alameda Parkway
Lakewood, CO 80228-8213
Phone: (720) 962-7256
Fax: (720) 962-7263
E-mail: tromly@wapa.gov

We look forward to hearing from you.

Sincerely,

Nicholas J Stas

Nick Stas
Environmental Manager

Enclosures

cc:

Mr. Dennis Rankin
Project Manager
Engineering and Environmental Staff
Rural Utilities Service, Utilities Program
1400 Independence Ave. SW, Mail Stop 1571
Washington D.C. 20250-1571

N. Stas, B0400
R. O'Sullivan, B0400
D. Kluth, B0400
L. Reilly, A7400, Lakewood, CO
S. Tromly, A7400, Lakewood, CO
D. Swanson, A7400, Lakewood, CO

South Dakota PrairieWinds Project Nation-to-Nation Consultation List
(list of recipients in random order)

Mr. Kevin Jensvold, Chairperson
Upper Sioux Indian Community

CC
Mr. Scott Larson
Upper Sioux Indian Community

Ms. Jean Stacy, President
Lower Sioux Indian Community

CC
Ms. Pamela Halverson, THPO
Lower Sioux Indian Community

Ms. Myra Pearson, Chairwoman
Spirit Lake Tribal Council

Mr. Mike Salvage, Chairman
Sisseton-Wahpeton Dakota Nation

CC
Ms. Dianne Derosiers, THPO
Sisseton-Wahpeton Oyate

Mr. Joshua Weston, President
Flandreau Santee Sioux Executive Committee

Mr. Robert Cournower, Chairperson
Yankton Sioux Tribal Business and
Claims Committee

CC
Faith Spotted Eagle
Cultural Resources

Mr. Roger Trudell, Chairman
Santee Sioux Tribe of Nebraska

CC
Mr. Robert Campbell, Councilman
Santee Sioux Tribe of Nebraska

Mr. Rodney Bordeaux, President
Rosebud Sioux Tribe

CC
Mr. Russell Eagle Bear, THPO
Rosebud Sioux Tribe of Indians

Mr. Lester Thompson, Jr., Chairman
Crow Creek Sioux Tribe

Mr. Harold Frazier, Chairman
Cheyenne River Sioux Tribe

CC
Mr. Albert LeBeau, THPO
Cheyenne River Sioux Tribe

Mr. Michael B. Jandreau, Chairman
Lower Brule Sioux Tribe

CC
Scott Jones, Director Cultural Resources
Lower Brule Tribe

Mr. Ron His-Horse-is Thunder
Standing Rock Sioux Tribe

CC
Mr. Tim Mentz, THPO
Standing Rock Sioux Tribe

Mr. Curley Youpee, THPO
Ft. Peck Tribes

Tex Hall, Chairman
Three Affiliated Tribes Business Council

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Web site at *http://www.ferc.gov/docs-filing/elibrary.asp*. Enter the docket number (P–13357) in the docket number field to access the document. For assistance, call toll-free 1–866–208–3372.

Kimberly D. Bose,

Secretary.

[FR Doc. E9–7768 Filed 4–6–09; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

DEPARTMENT OF AGRICULTURE

Rural Utility Service

Proposed PrairieWinds Project, South Dakota

AGENCIES: Western Area Power Administration, U.S. Department of Energy; Rural Utilities Service, U.S. Department of Agriculture.

ACTION: Notice of Intent to Prepare an Environmental Impact Statement and to Conduct Scoping Meetings; Notice of Floodplain and Wetlands Involvement.

SUMMARY: The Western Area Power Administration (Western), an agency within the U.S. Department of Energy (DOE), and Rural Utilities Service (RUS), an agency within the U.S. Department of Agriculture (USDA), intend to jointly prepare an environmental impact statement (EIS) for the proposed PrairieWinds Project (Project) in South Dakota. Western is issuing this Notice of Intent (NOI) to inform the public and interested parties about the proposed Project, conduct a public scoping process, and invite the public to comment on the scope, proposed action, alternatives, and other issues to be addressed in the EIS.

The EIS will address the construction, maintenance and operation of the proposed Project, which would include a 151.5-megawatt (MW) nameplate capacity wind-powered generating facility consisting of wind turbine generators, electrical collector lines, collector substation(s), transmission line(s), communications system, and service roads to access wind turbine sites. The EIS will also address the proposed interconnection with existing Western substations. The proposed Project would be located within portions of Brule, Aurora, and Jerauld counties, South Dakota or entirely within Tripp County, South Dakota.

Portions of the proposed Project may affect floodplains and wetlands, so this NOI also serves as a notice of proposed floodplain or wetland action. Western and RUS will hold public scoping meetings near the proposed Project areas to share information and receive comments and suggestions on the scope of the EIS.

DATES: Open house public scoping meetings will be held on April 28, 2009, at the Holiday Inn Express and Suites, 1360 East Highway 44, Winner, South Dakota, 57580, from 4 p.m. to 7 p.m. CDT; and on April 29, 2009, at the Commerce Street Grille, 118 N. Main Street, Plankinton, South Dakota, 57368, from 4 p.m. to 7 p.m. CDT. The public scoping period starts with the publication of this notice in the **Federal Register** and will continue through May 15, 2009. To help define the scope of the EIS, written comments should be submitted through the project's Web address: *http://www.wapa.gov/sdprairiewinds.htm*, or sent by letter, fax, or e-mail no later than May 15, 2009.

ADDRESSES: Written comments on the scope of the EIS should be addressed to Ms. Liana Reilly, Document Manager, Western Area Power Administration, Corporate Services Office, A7400, P.O. Box 281213, Lakewood, Colorado 80228–8213, fax (720) 962–7263, or sent by e-mail to *sdprairiewinds@wapa.gov*. Comments may also be submitted through the project's Web address: *http://www.wapa.gov/sdprairiewinds.htm*.

FOR FURTHER INFORMATION CONTACT: For information on the proposed Project, the EIS process, and general information about interconnections with Western's transmission system, contact Ms. Reilly at (800) 336–7288 or the address provided above. Parties wishing to be placed on the Project mailing list for future information, and to receive copies of the Draft and Final EIS when they are available, should also contact Ms. Reilly.

For information on RUS financing, contact Mr. Dennis Rankin, Project Manager, Engineering and Environmental Staff, Rural Utilities Service, Utilities Program, 1400 Independence Avenue, SW., Mail Stop 1571, Washington, DC 20250–1571, telephone (202) 720–1953 or e-mail *dennis.rankin@wdc.usda.gov*.

For general information on DOE National Environmental Policy Act (NEPA), 42 U.S.C. 4321–4347 review procedures or status of a NEPA review, contact Ms. Carol M. Borgstrom, Director of NEPA Policy and Compliance, GC–20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, telephone (202) 586–4600 or (800) 472–2756.

SUPPLEMENTARY INFORMATION: Western, an agency within DOE, markets Federal hydroelectric power to preference customers, as specified by law. These customers include municipalities, cooperatives, public utilities, irrigation districts, Federal and State agencies, and Native American Tribes in 15 western states, including South Dakota. Western owns and operates about 17,000 miles of transmission lines.

RUS, an agency that delivers the USDA's Rural Development Utilities Program, is authorized to make loans and loan guarantees that finance the construction of electric distribution, transmission, and generation facilities, including system improvements and replacements required to furnish and improve electric service in rural areas, as well as demand side management, energy conservation programs, and on-grid and off-grid renewable energy systems.

Basin Electric is a regional wholesale electric generation and transmission cooperative owned and controlled by its member cooperatives. Basin Electric serves approximately 2.5 million customers covering 430,000 square miles in portions of nine states, including Colorado, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, South Dakota, and Wyoming.

PrairieWinds, SD1, Incorporated (PrairieWinds), is a wholly owned subsidiary of Basin Electric.

Project Description

PrairieWinds proposes to construct, own, operate, and maintain the South Dakota PrairieWinds Project, a 151.5–MW nameplate capacity wind-powered generation facility, including wind-turbine generators, electrical collector lines, collector substation(s), transmission line, communications system, and service access roads to access wind-turbine sites.

There are two possible locations for the proposed Project. One site is located on about 37,000 acres about 15 miles north of White Lake, South Dakota, within Brule, Aurora, and Jerauld counties, South Dakota. For this alternative, the requested interconnection is with Western's electric transmission system at Wessington Springs Substation, located in Jerauld County, South Dakota. The other site is located on about 83,000 acres about 8 miles south of Winner, South Dakota, entirely within Tripp County, South Dakota. If this alternative is selected, the interconnection request will be with Western's electric transmission system at Winner Substation, located in Tripp County.

The proposed Project is subject to the jurisdiction of the South Dakota Public Utilities Commission (SDPUC), which has regulatory authority for siting wind generation facilities and transmission lines within the State. PrairieWinds will submit an application for an Energy Conversion Facility Permit to the SDPUC. The SDPUC permit would authorize PrairieWinds to construct the proposed Project under South Dakota rules and regulations. Western's Federal action is to consider Basin Electric's interconnection request under Western's Open Access Transmission Service Tariff and make a decision whether to approve or deny the interconnection request. If the decision is to approve the request, Western's action would include making necessary system modifications to accommodate the interconnection of the proposed Project. PrairieWinds has requested financial assistance for the proposed Project from RUS. RUS' Federal action is whether to provide financial assistance; accordingly, completing the EIS is one requirement, along with other technical and financial considerations in processing PrairieWind's application.

Western and RUS intend to prepare an EIS to analyze the impacts of their respective Federal actions and the proposed Project in accordance with NEPA, as amended, DOE NEPA Implementing Procedures (10 CFR 1021), the CEQ regulations for implementing NEPA (40 CFR 1500–1508), and RUS Environmental Policies and Procedures (7 CFR 1794). While Western's and RUS' Federal actions would be limited to the approval or denial of the interconnection request, any modifications to Western's power system necessary to accommodate the interconnection, and providing financial assistance for the proposed Project, the EIS will also identify and address the environmental impacts of the proposed Project. The EIS will evaluate in detail the two alternatives, any other viable alternatives identified during the public scoping process, and the No Action Alternative.

Regardless of the site selected, the proposed Project would consist of four main facilities: Turbines, collector system, roads, and transmission lines. PrairieWinds plans to install 101 General Electric 1.5–MW wind turbines for the proposed Project within one of the alternative generation sites. Fifteen additional turbines may be installed within the selected site, pending future load, transmission availability, and renewable production standard requirements. Each generator would have a hub height of 262 feet and a turbine rotor diameter of 252 feet. The total height of each wind turbine would be 389 feet with a blade in the vertical position. The towers would be constructed of tubular steel, approximately 15 feet in diameter at the base, with internal joint flanges. The color of the towers and rotors would be standard white or off-white. During construction, a work/staging area at each turbine would include the crane pad and rotor assembly area. This area would measure about 190 feet by 210 feet. The turbine foundations would typically be mat foundations (inverted T-foundations) or a concentric-ring-shell foundation. The area excavated for the turbine foundations would typically be no more than 70 feet by 70 feet (approximately 0.1 acre). Pad mounted transformers 74 inches by 92 inches by 70 inches would be placed next to each turbine. In some cases, for step-and-touch voltage compliance, an area around a turbine may be covered in 4 inches of gravel, river rock or crushed stone.

Each wind turbine would be interconnected with underground power and communications cables, identified as the collector system. This system would be used to route the power from each turbine to a central collector substation(s) where the electrical voltage would be stepped up from 34.5 kilovolt (kV) to 230-kV. The collector substation(s) would be enclosed in a fence with dimensions about 350 feet by 140 feet. The underground collector system would be placed in one trench or two parallel trenches and connect each of the turbines to a central collector substation. The estimated trench length, including parallel trenches, is 317,000 feet (60 miles).

The fiber optic communication lines for the proposed Project would be installed in the same trenches as the underground electrical collector cables and connect each turbine to a proposed operations and maintenance (O&M) building and collector substation(s). It is anticipated that a 5,500-square foot (50 feet by 110 feet) O&M building would be built within the vicinity of the collector substation. The final location would be determined in consultation with future operations personnel.

New access roads would be built to facilitate both construction and maintenance of the turbines. This road network would be approximately 70 miles of new and/or upgraded roads. These roads would be designed to minimize length and construction impact. Initially, turbine access roads would be built to approximately 25-feet wide, to accommodate the safe operation of construction equipment. Upon completion of construction, the turbine access roads would be reclaimed and narrowed to an extent allowing for the routine maintenance of the facility. Existing roads, including state and county roads and section line roads, would also be improved to aid in servicing the turbine sites. Approximately 30 to 40 miles of new turbine access roads would be built and 25 to 35 miles of existing roads would be used and, where appropriate, improved.

Under one alternative, a new 230-kV transmission line would be required to deliver the power from the collector substation(s) to a new 230-kV Western interconnection point at the existing Wessington Springs Substation. The Wessington Springs Substation is located approximately 9 to 12 miles from the proposed collector substation(s). The proposed line would be built using wood or steel H-frame (two pole) structures or steel single-pole structures. The structures would be about 85 to 95 feet high and span about 800 feet.

The other alternative site, near Winner, would require 34.5-kV to 115-kV collector substation(s) as well as a 115-kV transmission line to interconnect to Western's existing 115-kV Winner Substation. Other facilities would be similar to those described for the proposed Project. Because the proposed Project may involve action in floodplains or wetlands, this NOI also serves as a notice of proposed floodplain or wetland action, in accordance with DOE regulations for Compliance with Floodplain and Wetlands Environmental Review Requirements at 10 CFR 1022.12(a). The EIS will include a floodplain/wetland assessment and, if required, a floodplain/wetland statement of findings will be issued with the Final EIS or Western's and RUS' Records of Decision.

Agency Responsibilities

Western and RUS are serving as co-lead Federal agencies, as defined at 40 CFR 1501.5, for preparation of the EIS. With this notice, Native American Tribes and agencies with jurisdiction or special expertise are invited to be cooperating agencies. Such tribes or agencies may make a request to Western to be a cooperating agency by contacting Western's NEPA Document Manager. Designated cooperating agencies have certain responsibilities to support the NEPA process, as specified at 40 CFR 1501.6(b).

Environmental Issues

This notice is to inform agencies and the public of Western's and RUS' Federal actions, and the proposed Project, and to solicit comments and suggestions for consideration in preparing the EIS. To help the public frame its comments, this notice contains a list of potential environmental issues that Western and RUS have tentatively identified for analysis. These issues include:

1. Impacts on protected, threatened, endangered, or sensitive species of animals or plants;
2. Impacts on avian and bat species;
3. Impacts on land use, recreation, and transportation;
4. Impacts on cultural or historic resources and tribal values;
5. Impacts on human health and safety;
6. Impacts on air, soil, and water resources (including air quality and surface water impacts);
7. Visual impacts; and
8. Socioeconomic impacts and disproportionately high and adverse impacts to minority and low-income populations.

This list is not intended to be all-inclusive or to imply any predetermination of impacts. Environmental issues associated with Western's action, RUS' action, and PraireWinds' proposed Project will be addressed separately in the EIS. Western and RUS invite interested parties to suggest specific issues within these general categories, or other issues not included above, to be considered in the EIS.

Public Participation

Public participation and full disclosure are planned for the entire EIS process. The EIS process will include public scoping open house meetings and a scoping comment period to solicit comments from interested parties; consultation and involvement with appropriate Federal, State, local, and tribal governmental agencies; public review and a hearing on the draft EIS; publication of a final EIS; and publication of separate Records of Decision by Western and RUS, currently anticipated in 2010. Additional informal public meetings may be held in the proposed Project areas, if public interest and issues indicate a need.

The public scoping period begins with publication of this notice in the **Federal Register** and closes May 15, 2009. The purpose of the scoping meetings is to provide information about Western's Federal action, RUS's Federal action, and the proposed Project, display maps, answer questions, and take written comments from interested parties.

Western and RUS will hold open house public scoping meetings in Plankinton, South Dakota and Winner, South Dakota as noted above. Attendees are welcome to come and go at their convenience and to speak one-on-one with Project representatives and agency staff. The public will have the opportunity to provide written comments at the meeting. In addition, attendees may provide written comments by letter, fax, e-mail, or through the project's Web address.

To be considered in defining the scope of the EIS, comments should be received by the end of the scoping period. Anonymous comments will not be accepted.

Dated: March 30, 2009.

Timothy J. Meeks,

Administrator.

Dated: March 26, 2009.

Mark S. Plank,

Director, Engineering and Environmental Staff, Rural Utilities Service.

[FR Doc. E9–7813 Filed 4–6–09; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–8789–8; EPA–HQ–OEI–2007–1152]

Amendment to the Toxic Substances Control Act Confidential Business Information Records Access System, EPA–20

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Office of Pollution Prevention and Toxics is giving notice that it proposes to amend the ''Toxic Substance Control Act Confidential Business Information Records Access System'' to ''Confidential Business Information Tracking System (CBITS)'' to correct the official name of the system of record notice (SORN), system location and system manager.

DATES: Persons wishing to comment on this system of records notice must do so by May 18, 2009.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–2007–1152, by one of the following methods:

- *http://www.regulations.gov:* Follow the online instructions for submitting comments.
- *E-mail: oei.docket@epa.gov*
- *Fax:* 202–566–1752.
- *Mail:* OEI Docket, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.
- *Hand Delivery:* OEI Docket, EPA/DC, EPA West Building, Room B102, 1301 Constitution Ave., NW., Washington, DC. Such deliveries are only accepted during the Docket's normal hours of operation and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–HQ–OEI–2007–1152. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information for which disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov*. The *http://www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *http://www.regulations.gov* your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm.*

Docket: All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., CBI or other information for which disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either

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Ms. Liana Reilly
Document Manager
Western Area Power Administration
Corporate Services Office - A7400
P.O. Box 281213
Lakewood, Colorado 80228-8213

YOU ARE INVITED!

TO A PUBLIC MEETING

The USDA Rural Utilities Service (RUS) and Western Area Power Administration (Western) are hosting two open-house public meetings to discuss a new 150-megawatt wind energy project.

PrairieWinds SD1, Inc., (PrairieWinds), a subsidiary of Basin Electric Power Cooperative, proposes to construct 101 wind turbines in one of two alternate locations. One location would be south of Wessington Springs, approximately **10 miles north of the town of White Lake**, in Aurora, Jerauld and Brule counties in South Dakota. The other location would be approximately **15 miles south of the town of Winner**, in Tripp County, South Dakota.

Representatives from RUS, Western and PrairieWinds will be available to answer your questions, offer more information about the proposed project and take your comments. Your comments will help define the scope of the Environmental Impact Statement.

PLEASE JOIN US

April 28, 2009, 4:00 p.m. to 7:00 p.m.
Holiday Inn Express & Suites
1360 E Highway 44
Winner, SD 57580

April 29, 2009, 4:00 p.m. to 7:00 p.m.
Commerce Street Grille
118 S Main Street
Plankinton, SD 57368

NEED MORE INFORMATION?

Liana Reilly
Western Area Power Administration
Corporate Services Office
A7400 P.O. Box 281213
Lakewood, Colorado 80228-8213
email: sdprairiewinds@wapa.gov
Phone: 1-800-336-7288

Western AREA POWER ADMINISTRATION

USDA Rural Development

Or visit the Project Web site at:
www.wapa.gov/transmission/sdprairiewinds.htm

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South Dakota PrairieWinds Environmental Impact Statement Scoping Comment Summary

Issue	Comment	Treatment / Response
Air quality	Protection of air quality should be addressed.	Comment will be addressed in the EIS.
	Dust particulates from construction and on-going project activities are a concern; EIS should include dust control methods.	Comment will be addressed in the EIS.
Alternatives	Preference for the proposed Crow Lake Alternative to be approved for the Proposed Project.	Comment noted.
	Preference for Crow Lake Alternative to be approved for the Proposed Project; also noted that site may cost less to build due to smaller acreage, and have higher wind potential.	Comment noted.
	Map request of the Crow Lake Alternative.	Map was provided.
	Summarize criteria and process used to develop Proposed Project alternatives, disclose reasoning used to eliminate alternatives.	Comment will be addressed in the EIS.
	Proposed Project alternatives map request.	Map was provided.
Aviation safety	Request for all project turbines to be lit at night as mitigation.	Comment will be addressed in the EIS.
Biological resources	USFWS formally accepted invitation to participate as a cooperating agency.	Cooperating agency status confirmed.
	USFWS provided a list of Federally-protected species that may occur in the project area(s).	Species impact analysis will be provided in the EIS.
	USFWS provided wind turbine guidelines and considerations for meteorological towers and power lines with respect to sensitive species.	Comment will be addressed in the EIS.
	USFWS provided discussion on wind energy and wildlife.	Comment noted.
	USFWS provided information on avian and bat protection plans, including the MBTA, or BGEPA, and information on birds of conservation concern, and U.S. Geological Survey avian research.	Avian and bat impact analysis will be provided in the EIS.
	South Dakota Game, Fish, and Parks (SDGFP) supports development of alternative sources of energy.	Comment noted.
	SDGFP suggested considering impacts, including mortality, from turbine strikes, habitat alteration, and behavior modification from improperly sited wind power projects.	Avian and bat impact analysis will be provided in the EIS.
	SDGFP noted previous correspondence with project representatives and information provided including SDGFP Natural Heritage Program data and information on unique and/or special resources or areas in the Proposed Project areas.	Comment noted; species impact analysis will be provided in the EIS.
	Identify endangered species potentially affected by the project.	Endangered species impact analysis to be included in the EIS.
	Disclose and evaluate effects of project activities on area ecology, vegetation, and wildlife and habitats.	Comment will be addressed in the EIS.
	Identify critical habitat and impacts on species and critical habitat.	Comment will be addressed in the EIS.
	Describe how project will meet ESA requirements.	Comment will be addressed in the EIS.
	Analyze migration corridors and flyways.	Comment will be addressed in the EIS.
	Disclose potential toxic hazards associated with pesticide or herbicide use.	Comment will be addressed in the EIS.

South Dakota PrairieWinds Environmental Impact Statement Scoping Comment Summary

Issue	Comment	Treatment / Response
Cultural resources	Identify potential cultural impacts.	Follow-up discussion with the commenter was conducted by project representatives. Comment will also be addressed in the EIS.
Cumulative impacts	EIS should examine cumulative impacts, including direct and indirect effects, including past, present, and reasonably foreseeable future activities.	Comment will be addressed in the EIS.
Environmental Justice	Include potential impacts on low income, minority, and/or tribal communities.	Comment will be addressed in the EIS.
Greenhouse gases and climate change	The EIS should include an estimate of annual greenhouse gas emissions expected during operations and describe the emissions in terms of carbon dioxide (CO_2) equivalents in metric tons per year per MW hour produced; then compare to regional or State estimated emissions.	Comment will be addressed in the EIS.
NEPA process	Request that the environmental process be expedited.	Comment noted.
	National energy policies and national security in general are impacted by excessive oil import.	Comment noted.
	Commented that wind and other renewable projects are time sensitive, and should be implemented more quickly.	Comment noted.
	Support for wind energy development; noted that USFWS is an impediment to wind development; compliance with the USFWS approval process is a moving target and should be more easily acquired for wind energy projects.	Comment noted.
	Request to be added to project mailing list.	Information added to mailing list.
	Welcomed project representatives to the City of White Lake.	Comment noted.
	Provided encouragement for the project to move forward.	Comment noted.
	Representative from KWYR requested radio interview.	Follow-up discussion with the commenter was conducted by project representative.
Out of scope	Other developers have prompted individuals to sign land agreements. Commenter requested clarification on right-of-way details and easement compliance, requested information on land agreement expirations and payment guarantees.	Applicant responded to commenter.
	Encouraged upgrading transmission lines through the areas to provide power access for other wind farm projects interested in the area.	Comment noted; the project as proposed is to build a wind-powered electric generation facility in central South Dakota, as such this comment is beyond the scope of this EIS.
	Request for transmission line upgrades in Gregory County to support wind energy development.	Comment noted; the project as proposed is to build a wind-powered electric generation facility in central South Dakota (not within Gregory County), as such this comment is beyond the scope of this EIS.
	Interest in supplying services/facilities during construction of the project.	Comment noted; information provided to Applicant.
	Volunteered land for wind turbine development.	Comment noted; information provided to Applicant.

South Dakota PrairieWinds Environmental Impact Statement Scoping Comment Summary

Issue	Comment	Treatment / Response
Out of scope *(continued)*	Supports Proposed Project, and suggests improving local transmission infrastructure.	Comment noted. The project as proposed is to build a wind-powered electric generation facility in central South Dakota; as such this comment is beyond the scope of this EIS.
Project description	Request for information on the size, and height of the wind testers, number of testing sites in the study areas, acres of study areas, size and MW of proposed substation.	Much of this information was available in the scoping meeting materials and on the project website. Follow-up discussion with the commenter was conducted by project representatives. Comment will also be addressed in the EIS.
	Include construction, design, and operation practices that will be incorporated to protect water quality from erosion.	Comment will be addressed in the EIS.
	Inquired about the substation component of the Proposed Project.	Comment noted. Substation information can also be found in the NOI and will be included in the EIS.
Scoping	Welcomed the Proposed Project and was pleased with the presentation during the meetings.	Comment noted.
	Request project information.	Follow-up e-mail provided project information.
	Support for the Proposed Project, and would have preferred a formal presentation during the scoping meeting.	Comment noted; follow-up phone call with the commenter was conducted by project representatives.
	Bureau of Land Management (BLM) appreciates the opportunity to review and provide comments on the project, but that the agency does not have expertise or information relevant to the project.	Comment noted.
	Appreciated the meeting, found it interesting.	Comment noted.
	South Dakota Mail representative requested scoping meeting notice to be included in the local newspaper.	Comment noted and notice was included in *South Dakota Mail*.
	Request information regarding the scoping meetings.	Comment noted, information provided.
Section 106 process	Are government agencies participating in Government-to-Government discussions with local Native American Tribes?	Follow-up discussion with the commenter was conducted by project representatives. Comment noted; the lead agencies have initiated the Government-to-Government consultations.
	Concern about notification to tribes regarding the scoping meetings.	Tribes were notified of the EIS scoping meetings in a letter dated April 13, 2009; Government-to-Government consultation will continue through the Section 106 process; tribal meetings began in August 2009.
	Northern Arapahoe Tribal Consultants offered archaeological services for the Proposed Project EIS analysis and Section 106.	Comment noted.
Visual resources	Provided information on the Lewis and Clark National Historic Trail (NHT); requested that the EIS include analysis of the potential visual resource effects for both the Proposed Project alternatives in regards to the Lewis and Clark NHT.	Comment will be addressed in the EIS.

South Dakota PrairieWinds Environmental Impact Statement Scoping Comment Summary

Issue	Comment	Treatment / Response
Water resources	Clearly describe water bodies within the analysis area which may be impacted by project activities; analysis of area's geology, topography, soils and stream stability may be necessary.	Comment will be addressed in the EIS.
	Provide information on Clean Water Act (CWA) Section 303(d) impaired waters in project area, if any.	Comment will be addressed in the EIS.
Wetlands / riparian areas	Identify potential wetlands both jurisdictional and non-jurisdictional, potential impacts, and least damaging practicable alternative for avoiding wetlands.	Comment will be addressed in the EIS.

Appendix B

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Appendix B
Engineering Drawings

- **Figure B-1** General Electric 1.5sle Wind Energy Turbine
- **Figure B-2** Main Components of a Typical Wind Turbine
- **Figure B-3** Typical Crane Pad Layout
- **Figure B-4** Typical Layout for a Turbine Apron Plan
- **Figure B-5** Crow Lake Alternative Collector Substation Layout & Electrical Bus Arrangement

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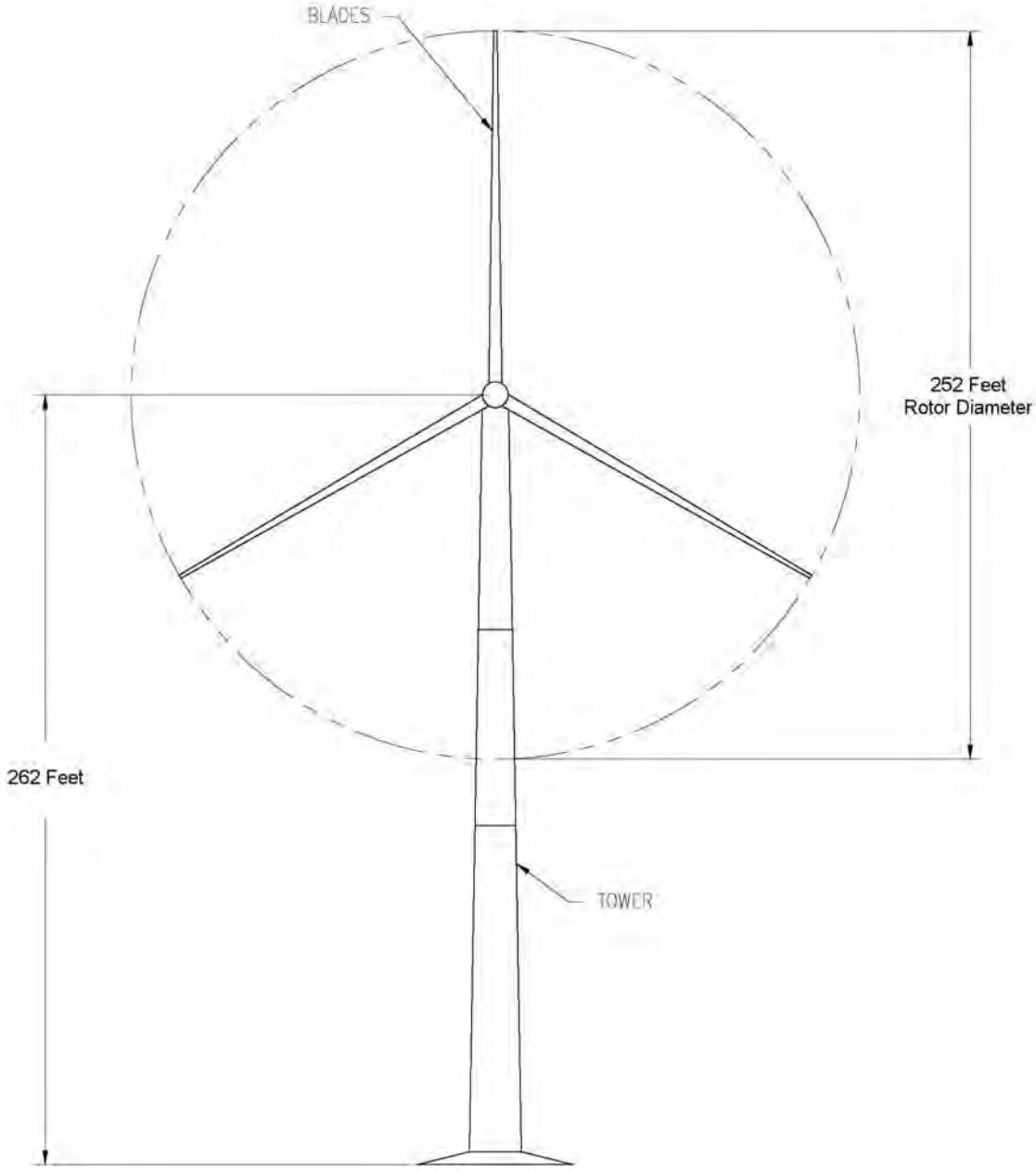
Figure B-1



GE WIND ENERGY 1.5 SLE 60 HZ WIND TURBINE

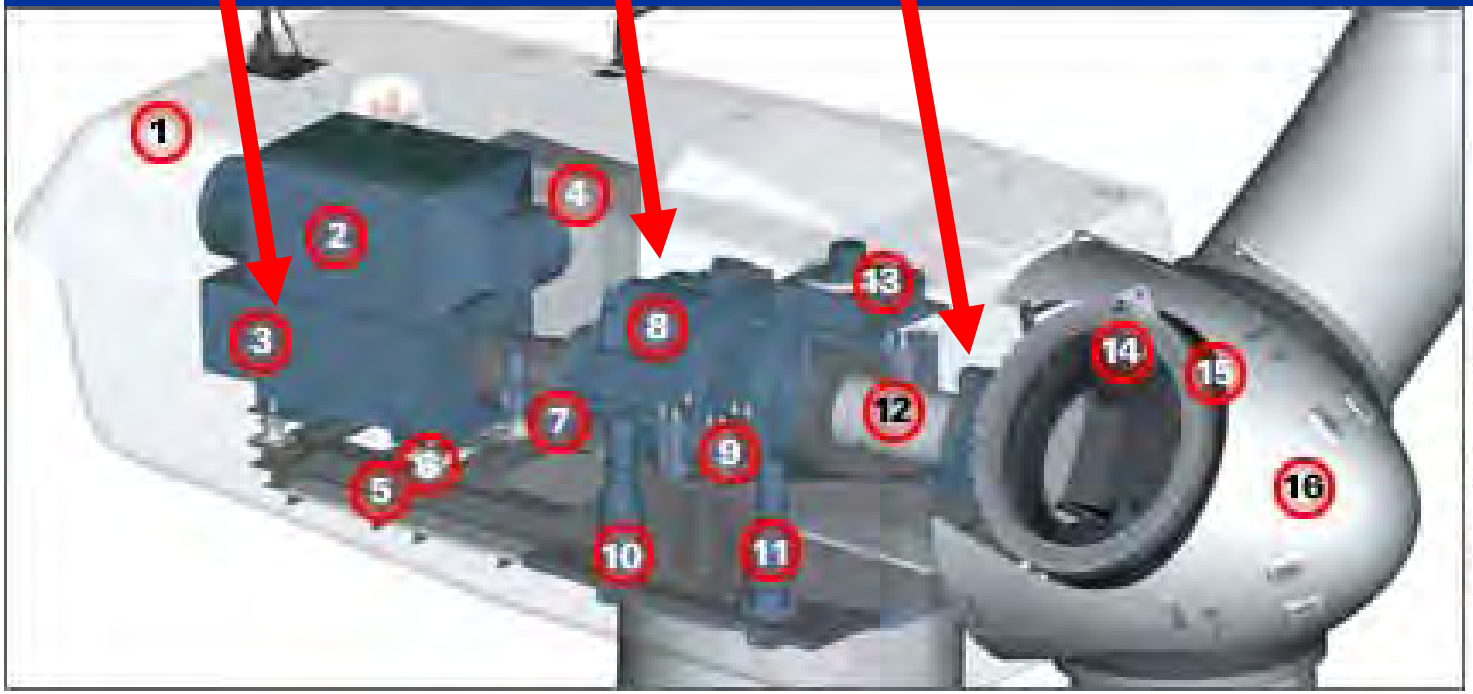
Figure B-2

3 Major Components of Turbines

Generator

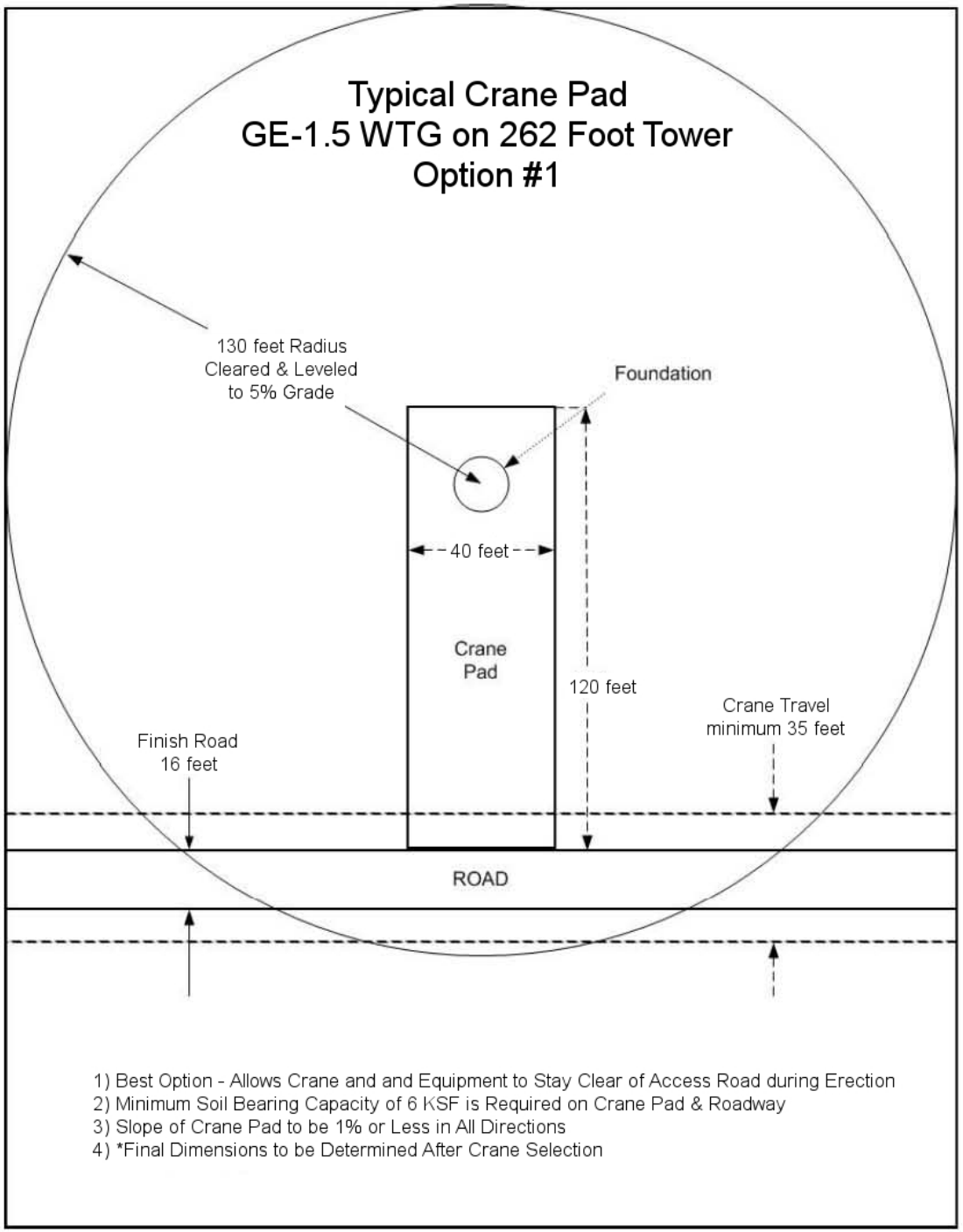
Gearbox

Rotor/Blades/Main Shaft



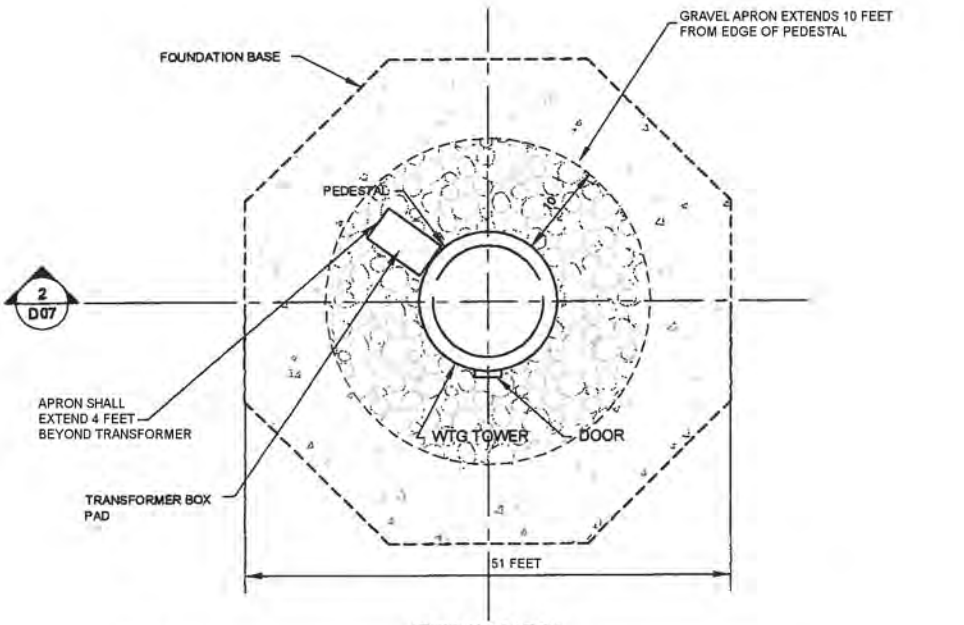
1. Nacelle
2. Heat Exchanger
3. Generator
4. Control Panel
5. Main Frame
6. Impact Noise Insulation
7. Hydraulic Parking Brake
8. Gearbox
9. Impact Noise Insulation
10. Yaw Drive
11. Yaw Drive
12. Rotor Shaft
13. Oil Cooler
14. Pitch Drive
15. Rotor Hub
16. Nose Cone

Figure B-3



Typical Crane Pad Option 1

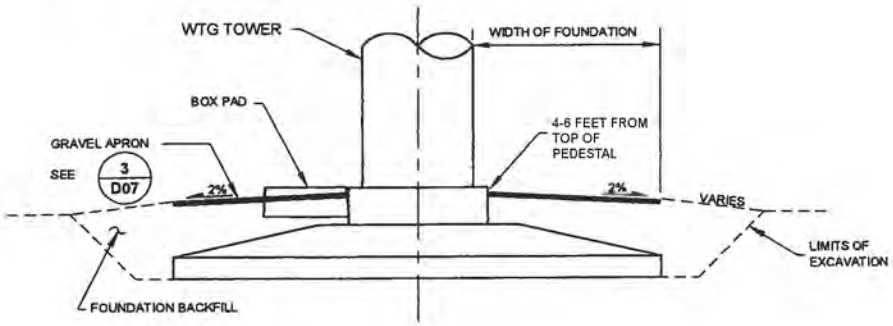
Figure B-4



TURBINE APRON PLAN VIEW

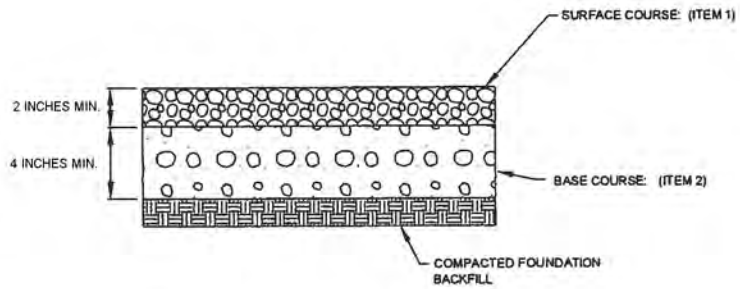
1 D07

(NOT TO SCALE)



TURBINE APRON PROFILE VIEW

2 D07

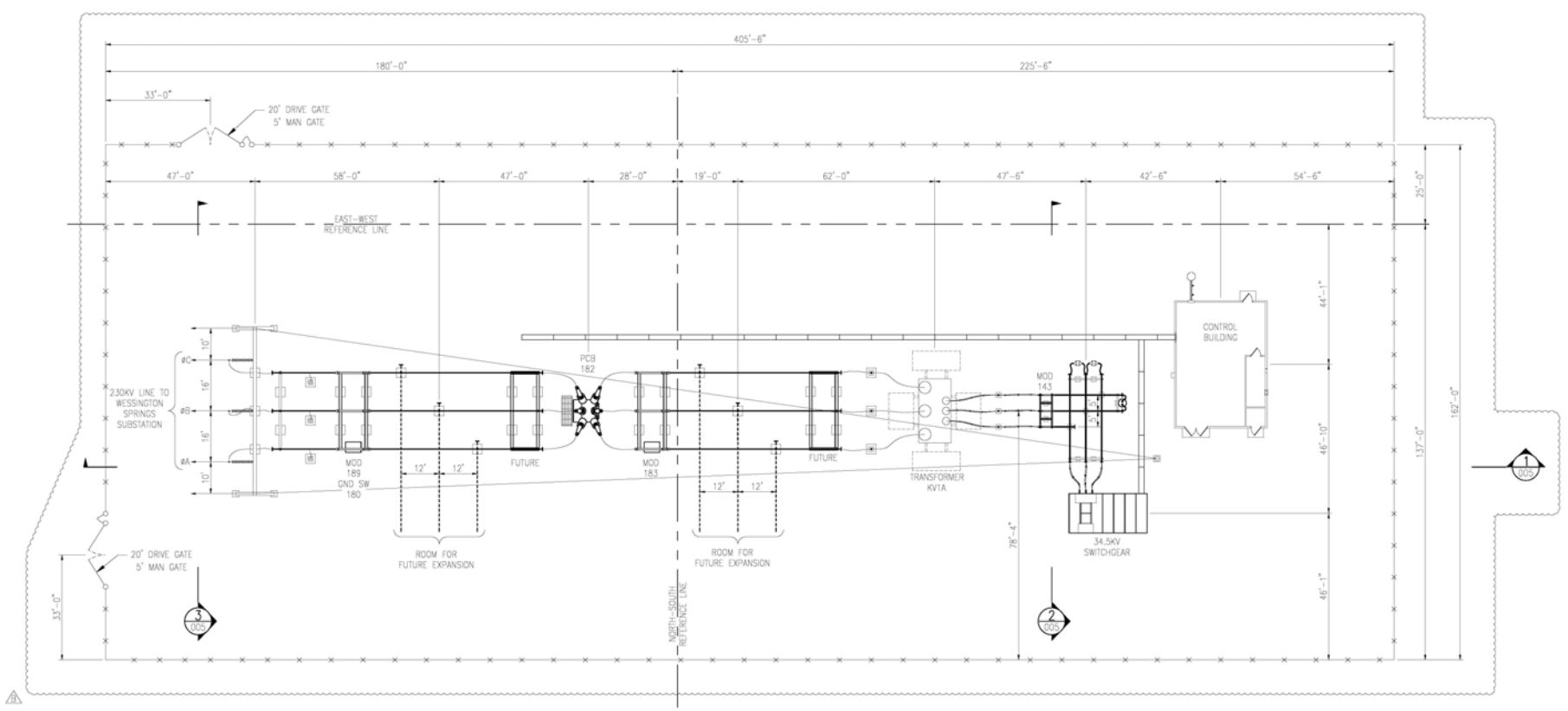


GRAVEL APRON CROSS SECTION

3 D07

(NOT TO SCALE)

Figure B-5



ELECTRICAL BUS ARRANGEMENT

TYPES OF CONNECTIONS
F FIXED
S SLIP
EX EXPANSION

BEPC SUBMITTAL REVIEW

( ) NO EXCEPTION NOTED-PROCEED
( ) PROCEED AS NOTED, MAKE CORRECTION AND RESUBMIT
( ) REVISE AND RESUBMIT FOR APPROVAL BEFORE PROCEEDING

BY _____ DATE _____

PRELIMINARY

TO BE COMPLETED OR VERIFIED:
1. PCB SIZE
2. XFMR SIZE
4. CABLE TRENCH SIZE

REV.	DESCRIPTION	DRWN	DSGN	APPD	DATE
B	REVISED PER BEPC COMMENTS	M.KAVANAGH	E.SWENSON	–	6/12/09
A	ISSUED FOR REVIEW	M.KAVANAGH	E.SWENSON	–	5/4/09

REFERENCE DRAWINGS

BASIN DRAWING NUMBER
443-054-E3-003 230KV ELECTRICAL LAYOUT PLAN
443-054-E3-004 34.5KV ELECTRICAL LAYOUT PLAN
443-054-E3-005 34.5/230KV ELECTRICAL LAYOUT ELEVATIONS
443-054-E4-001 34.5KV & 230KV ELEC. LAYOUT DETAILS SH. 1 OF 2
443-054-E4-002 34.5KV & 230KV ELEC. LAYOUT DETAILS SH. 2 OF 2

FACILITY: TRANSMISSION SYSTEM MAINTENANCE
LOCATION/PLANT: 443-34.5/230KV CROW LAKE COLLECTOR SUBSTATION
CONTRACT/DESIGNATION:

ELECTRICAL BUS ARRANGEMENT

BASIN ELECTRIC POWER COOPERATIVE
A Touchstone Energy® Cooperative

DESIGN BY	E.SWENSON 3/09
DRAWN BY	M.KAVANAGH 3/09
DSGN CK	
DRFT CK	
APPROVED	
SCALE	1/16" = 1'-0"
VENDOR/ORIGINATED FROM	ULTEIG
VENDOR DRAWING NO.	ORIGINAL REV.
BASIN DRAWING NO.	443-054-E3-001
REV. NO.	B

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Appendix C

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Appendix C

Biological Resources

- USFWS interagency letter dated April 9, 2009
- USFWS scoping response letter dated May 13, 2009
- USFWS request for Federally listed species dated October 14, 2009
- USFWS request response letter dated November 12, 2009
- **Table C-1** Wildlife Species Observed in the Crow Lake Alternative (2008-2009 Field Surveys)
- **Table C-2** Summary of individuals and group observations for fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 – Nov 12, 2009.
- **Table C-3** Total number of groups and individuals for each bird type and species observed during transect bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, June 2 – July 7, 2009
- **Table C-4** Wildlife Species Observed in the Winner Alternative (2008-2009 Field Surveys)
- **Table C-5** Summary of individuals and group observations for fixed-point bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, April 6 – Nov 11, 2009.
- **Table C-6** Total number of groups and individuals for each bird type and species observed during transect bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, June 12 – July 10, 2009

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April 09, 2009

Pete Gober
US Fish and Wildlife Service
Ecological Services Field Office
420 S. Garfield Avenue, Suite 400
Pierre, SD 57501-5408

Dear Pete Gober:

The purpose of this letter is to inform you of a proposed project and to provide notice that Western and RUS intend to prepare an Enivornmental Impact Statement (EIS) addressing their respective Federal actions. This letter also serves as an invitation for an interagency meeting as well as provides information to you about our scoping process.

PrairieWinds SD1, Incorporated (PrairieWinds), a subsidiary of Basin Electric Power Cooperative (Basin Electric), has proposed to develop a wind-powered generating facility in south-central South Dakota, either near Wessington Springs or near Winner. Basin Electric has requested to interconnect the proposed project with Western Area Power Administration's (Western) transmission system. PrairieWinds has requested financing for the proposed project from the Rural Utilities Service (RUS), an agency within the U.S. Department of Agriculture (USDA).

Basin Electric's generator interconnection request and PrairieWinds's financing request triggers a National Environmental Policy Act (NEPA) review process of the proposed project by Western and RUS, respectively. Western and RUS are serving as co-lead Federal agencies for preparation of the EIS. Western will serve as the lead Federal agency for consultations with the U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act and for consultations with the South Dakota State Historic Preservation Office under section 106 of the National Historic Preservation Act.

Western and RUS invite you to attend an interagency meeting occurring on April 28, 2009 to provide you input on the proposed project's scoping process. During the meeting we would like

to discuss the project component details, obtain input to understand any issues that your Agency believes are important in the EIS analysis, and review the project schedule. The interagency meeting details are as follows:

Best Western Ramkota Hotel
920 W Sioux Ave
Pierre, South Dakota 57501-1800
Tuesday, April 28, 2009
9 a.m. to 11 a.m.

In addition, this letter serves to invite your agency to become a cooperating agency in the EIS process for the proposed project. The Council on Environmental Quality NEPA Implementing Regulations (40 CFR part 1501.6) emphasizes agency cooperation and authorizes the designated lead Federal agency to request that other Federal agencies with jurisdiction by law be a cooperating agency. Additionally, the lead Federal agency may request that any other Federal agency with special expertise with respect to any environmental issue to be addressed in the EIS also be a cooperating agency. Designated cooperating agencies have certain responsibilities to support the NEPA process, as specified in 40 CFR 1501.6 (b). The benefits of becoming a cooperating agency include disclosure of relevant information early in the EIS process and establishment of a mechanism to address any intergovernmental issues. Should your agency decide not to become a formal cooperating agency for the EIS, you will continue to be kept informed of project developments through the project mailing list, and you will receive the draft and final EIS documents. Any concerns or comments your agency provides to us during the NEPA process, and in a timely fashion, will be fully considered in finalizing the EIS and our Records of Decision (RODs).

The proposed PrairieWinds project would involve the installation and operation of a 150-megawatt (MW) wind energy facility that would feature 101 wind turbine generators. Each turbine generator would have a hub height of 262 feet and a turbine rotor diameter of 252 feet. The total height of each wind turbine would be 389 feet with a blade in the vertical position. The towers would be constructed of tubular steel, approximately 15 feet in diameter at the base, with internal joint flanges. The color of the towers and rotors would be standard white or off-white. During construction, a work/staging area at each turbine would include the crane pad and rotor assembly area, temporarily disturbing an area about 190 feet by 210 feet.

Each wind turbine would be connected by a service road for access and a 34.5-kilovolt (kV) buried electrical collection system that would ultimately route the power from each turbine to a central collector substation, where voltage would be stepped up for interconnection to Western's transmission system. About 30 to 40 miles of new access roads would be built to facilitate both

construction and maintenance of the turbines. Approximately 25 to 35 miles of existing roads would be used and, where appropriate, improved.

Two sites for the wind-powered generation facility are under consideration (see enclosed map). One site is located on about 37,000 acres and is approximately 15 miles north of White Lake, South Dakota, within Brule, Aurora, and Jerauld counties. The other alternative site would be located within an area about 83,000 acres, and is about 8 miles south of Winner, South Dakota, and is entirely within Tripp County.

The site that is approximately 37,000 acres near White Lake, South Dakota, would require a new 230-kV transmission line to deliver the power from the collector substation(s) to a new 230-kV Western interconnection point at Western's Wessington Springs Substation, located in Jerauld County. The Wessington Springs Substation is located approximately 9 to 12 miles from the proposed collector substation(s). The proposed line would be built using wood or steel H-frame (two pole) structures or steel single-pole structures. The structures would be about 85 to 95 feet high and span about 800 feet.

The other alternative site, approximately 83,000 acres near Winner, South Dakota, would require a 34.5-kV to 115-kV collector substation(s) as well as a 115-kV transmission line to interconnect to Western's existing 115-kV Winner Substation. Other facilities necessary for this site would be similar to those described for the site above.

The no action alternative will also be considered.

There is a chance that the final interconnection studies will conclude that other transmission facilities, such as network upgrades remote from the project site, would be required. If the project moves forward and it is determined that other facilities are needed to support the interconnection request, Western and RUS will complete the appropriate level of environmental review.

We want to ensure that any important environmental concerns and natural resources and/or places of interest for your Agency within the project area are considered and addressed in the EIS. At this time, we would appreciate receiving any information that you would be willing to share with us on any unique or special resources or areas in or near the proposed project. If you are aware of any other individuals or affiliated organizations that should be consulted regarding this project, please let us know. A full list of all other agencies and individuals receiving this letter is enclosed.

If any additional agency representatives wish to be added to the project's mailing list and/or receive a copy of the Draft and Final EIS, please contact Ms. Liana Reilly or Mr. Dennis Rankin

at the phone numbers or addresses listed below. Comments on the project scope and alternatives should be received by May 15, 2009, to be considered in defining the scope for the Draft EIS. Comments on the proposed project will be accepted and considered throughout the NEPA process.

At this time, Western and RUS are conducting scoping, including public scoping meetings, to ensure that interested members of the public, potentially affected landowners and lessees, and Federal, state, local, and tribal agencies have an opportunity to provide input on the scope of the EIS and the alternatives that will be addressed in the EIS. Western, RUS, and PrairieWinds representatives will be available at the scoping meetings for one-on-one discussions, to provide information about the proposed project, answer questions, and will take verbal and written comments from interested parties. Information will be available at two public scoping meetings as follows:

Holiday Inn Express and Suites
1360 East Highway 44
Winner, South Dakota 57580
Tuesday, April 28, 2009
4 p.m. to 7 p.m.

Commerce Street Grille
118 North Main Street
Plankinton, South Dakota 57368
Wednesday, April 29, 2009
4 p.m. to 7 p.m.

During this scoping phase, we would like to obtain input to understand any issues that your Agency believes are important. Western and RUS request that you comment on the proposal, offer suggestions to improve the proposal and suggest alternative actions. Please identify any issues of concern about potential environmental impacts. Please address comments, questions or concerns to Ms. Liana Reilly or Mr. Dennis Rankin at the addresses below.

Ms. Liana Reilly
Document Manager
Western Area Power Administration
Corporate Services Office - A7400,
P.O. Box 281213
Lakewood, Colorado 80228-8213
Phone: (720) 962-7253 or (1-800) 336-7288
Fax: (720) 962-7263
E-mail: reilly@wapa.gov

Mr. Dennis Rankin
Project Manager
Engineering and Environmental Staff
Rural Utilities Service, Utilities Program

1400 Independence Ave. SW, Mail Stop 1571
Washington D.C. 20250-1571,
Phone: (202) 720-1953
Fax: (202) 720-0820
E-mail: dennis.rankin@wdc.usda.gov

We look forward to hearing from you.

Sincerely,

Nick Stas
Environmental Manager
Upper Great Plains Region
Western Area Power Administration

Enclosures

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
420 South Garfield Avenue, Suite 400
Pierre, South Dakota 57501-5408

May 13, 2009

Ms. Liana Reilly, Document Manager
Western Area Power Administration
Corporate Services Office, A7400
P.O. Box 281213
Lakewood, Colorado 80228-8213

Mr. Dennis Rankin, Project Manager
Engineering and Environmental Staff
Rural Utilities Service, Utilities Program
1400 Independence Avenue SW, Mail Stop 1571
Washington D.C. 20250-1571

Re: Notice of Intent to Prepare an Environmental Impact Statement for Prairie Winds SD1 Wind Farm, South Dakota

Dear Ms. Reilly and Mr. Rankin:

This letter is in response to your April 9, 2009, letter regarding the Notice of Intent to prepare an Environmental Impact Statement (EIS) for the above referenced project; a 150-megawatt, 101-turbine wind-powered generating facility proposed for south-central South Dakota to be located either near the town of Wessington Springs or the town of Winner. Coordination with the U.S. Fish and Wildlife Service (Service) has already been initiated for this project by your agencies and the applicant, Prairie Winds SD1, Inc. (a subsidiary of Basin Electric Power Cooperative), and their consultants. As part of this continued coordination effort, we herein submit formal comments on this project by the May 15, 2009, deadline as requested in your letter to assist in the development of the upcoming EIS.

The two sites being considered for placement of this wind farm are: 1) the Crow Lake Site (37,000 acres in Brule, Aurora, and Jerauld Counties) and 2) the Winner Site (83,000 acres in Tripp County). Per your letter, the proposed turbines will be 389 feet tall with turbine rotor diameters of 252 feet. The towers will be 15 feet wide at the base, placed on a concrete pad, temporarily disturbing a 190 x 210 foot area per turbine during construction. Thirty (30) to 40 miles of new access roads are planned, and a buried collection system will electrically connect

the turbines to a substation where voltage can be stepped up for interconnection with the Western Area Power Administration's (WAPA) transmission line. Construction of up to perhaps 12 miles of overhead high voltage transmission lines (34.5-115 kV) and other associated appurtenances will be required at both locations.

It is our understanding that the U.S. Department of Agriculture's Rural Utilities Service may provide funding for this project, and the WAPA is considering an interconnection request by Prairie Winds SD1 to WAPA's existing transmission lines. While your agencies are the Federal co-leads for this project, it has been decided that the WAPA will lead the section 7 process under the Endangered Species Act (ESA).

Your letter included an invitation to an agency meeting on April 28, 2009, which Natalie Gates of this office attended, plus an invitation to become a cooperating agency in the development of the EIS for this project. Mr. Harris Hoistad of our Huron Wetland Management District (WMD) also attended the April 28, 2009, meeting, and had indicated his interest in representing the Service as a cooperating agency for this project at that meeting. The Huron WMD administers Service fee title and easement properties in some of the counties proposed for construction. While Mr. Hoistad accepts your invitation and shall serve as your primary contact in that regard, we respectfully request that you include this office in such cooperating agency correspondences as well, thereby allowing the opportunity for input from the Ecological Services branch of the Service in addition to the Refuges program perspective provided by the Huron WMD. Natalie Gates will continue to serve as your Ecological Services contact.

Federally Listed Species

In accordance with section 7(c) of the ESA, as amended, 16 U.S.C. 1531 et seq., we have determined that the following federally listed species may occur in the project area(s) (this list is considered valid for 90 days):

Species	Status	Expected Occurrence
Whooping crane (Grus americana)	Endangered	Migration
American burying beetle (Nicrophorus americanus)	Endangered	Resident, Tripp County
Piping plover (Charadrius melodus)	Threatened	Migration
Topeka shiner (Notropis topeka)	Endangered	Known resident , waterways in Jerauld and Aurora Counties

Whooping cranes migrate through central South Dakota on their way to northern breeding grounds and southern wintering areas. They occupy numerous habitats such as cropland and pastures; wet meadows; shallow marshes; shallow portions of rivers, lakes, reservoirs, and stock

ponds; and both freshwater and alkaline basins for feeding and loafing. Overnight roosting sites frequently require shallow water in which to stand and rest. If whooping crane stopover habitat exists within either proposed project site, potential whooping crane impacts should be considered. Whooping cranes are large birds with low maneuverability. Line strike mortality is the greatest known threat to fledged whooping cranes. Whooping crane interactions with wind turbines are not currently known; however, collisions with turbines may be possible, and/or loss of stopover habitat in the migration corridor may be realized if whooping cranes tend to avoid wind farms. Additionally, should construction occur during spring or fall migration, the potential for disturbances exists, stressing the whooping cranes at critical times of the year. Any whooping crane sightings should be reported to the Service; a standard reporting form is available from this office.

The American burying beetle is a known resident of southern Tripp County and has also been documented within Bennett, Todd, and Gregory Counties. Recent studies have shown some preference by this species for sandy or sandy-loam grasslands with interspersed stands of low-meadow cottonwoods; however, they will use various types of soil and habitat if the right type of food is available. The life cycle of the American burying beetle includes time spent underground during the summer months as eggs, larvae, and pupae, with adults present for part of that time; thus, the potential exists to excavate American burying beetles during June, July, and August. Adults are also present underground during winter, so it is possible to destroy American burying beetles via ground disturbance as they hibernate. These potential affects to the American burying beetle should be considered at the proposed Winner Site.

Piping plovers may occur within the proposed project areas although, in South Dakota, this shorebird species occupies habitat primarily along the Missouri River; thus, any birds present at either proposed wind turbine site would likely be passing over/through the site during migration to breeding/wintering areas. The species has been known to collide with overhead power lines; interactions with wind turbines are unknown. Piping plovers use sparsely vegetated interchannel sandbars, islands, and shorelines for nesting, foraging, and brood-rearing. The birds typically breed in South Dakota between the dates of May 1 and August 15.

Topeka shiners occupy tributaries within the Big Sioux, Vermillion, and James River watersheds in eastern South Dakota. Firesteel Creek, West Branch of Firesteel Creek, and Dry Run Creek are waterways in Jerauld and Aurora Counties that are known to be occupied by this minnow species. Should the Crow Lake Site be selected and the project involves direct or indirect impacts to these known occupied waterways or other tributaries to the James River, potential effects to the Topeka shiner should be considered. Examples may include power line/road crossings of these streams or upland construction adjacent to these waterways that could result in instream sedimentation.

If the WAPA or their designated representative determines that the project "may adversely affect" listed species in South Dakota, it should request formal consultation from this office. If a "may affect - not likely to adversely affect" determination is made for this project, it should be submitted to this office for concurrence. If a "no effect" determination is made, further consultation may not be necessary. However, a copy of the determination should be sent to this office.

Wind Energy and Wildlife

Among the Service's primary concerns regarding wind turbines are avian collision mortality and the loss of habitat/habitat avoidance behaviors by wildlife. While there is still much to be learned regarding wind turbine-wildlife interactions, we do know that wind turbines can have adverse impacts on some species. Turbine location, spacing, aspect, lighting, size, and design are all potential factors related to the risk posed to resident and migratory wildlife as are the types of surrounding habitats, use of these habitats by various species of wildlife, landscape features, prey base, migration corridors, and behavioral patterns. Recent studies of grassland nesting birds have shown a tendency for avoidance of areas immediately surrounding turbines causing an indirect loss of habitat. Direct loss of habitat caused by the footprint of the turbines and associated roads and structures is another concern, along with loss of habitat that can occur with encroachment of invasive weeds as a result of these disturbances. Currently, perhaps the best means of minimizing impacts to wildlife is to avoid constructing within high wildlife use areas. Placement of turbines within existing cropland is recommended for this reason. When unavoidable impacts to fish and wildlife species and their habitats are anticipated, we recommend that offsetting measures be developed and implemented. We encourage inclusion of a mitigation plan within the draft EIS to serve this purpose.

Wind Turbine Guidelines

You are aware that the Service has developed voluntary "*Interim Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines*" (available online at http://www.fws.gov/habitatconservation/Service%20Interim%20Guidelines.pdf.) to assist energy companies in accomplishing the goal of reducing the risk posed by turbines to wildlife. The guidelines stress the importance of proper evaluation of potential wind turbine development sites, appropriate location and design of turbines and related facilities, and pre- and post-construction research and monitoring. Potential Impact Index (PII) scores, as recommended by our guidelines, were developed for each proposed site (results: PIIs of 269 and 239 for Winner and Crow Lake sites, respectively) and a reference site (result: PII of 331) located near the Lake Andes/Karl Mundt National Wildlife Refuges, South Dakota. Again, please note that previously disturbed sites (e.g., cropland) are recommended areas for turbines to minimize habitat loss and associated wildlife impacts. If construction must occur within intact native grasslands, offsetting and/or mitigative measures should be considered for the conservation of prairie wildlife, particularly migratory birds.

The South Dakota Department of Game, Fish and Parks (SDDGFP) has coordinated with the South Dakota Public Utilities Commission (SDPUC) regarding distribution of the SDDGFP's "*Siting Guidelines for Wind Power Projects in South Dakota*" to wind developers intending to construct projects within the state of South Dakota. You may wish to contact the SDPUC and/or the Wildlife Diversity Division of the SDDGFP in Pierre, South Dakota, for more information. Contact information may be found on their respective websites: http://puc.sd.gov/ and http://www.sdgfp.info/Wildlife/Diversity/index.htm. The guidelines themselves may be found online at: http://www.sdgfp.info/wildlife/ diversity/windpower.htm.

Birds of Conservation Concern

The Migratory Birds Division of the Service has published *"Birds of Conservation Concern 2008"* (http://www.fws.gov/migratorybirds/reports/BCC2008/BCC2008.pdf). This document is intended to identify species in need of coordinated and proactive conservation efforts among State, Federal, and private entities with the goals of precluding future evaluation of these species for ESA protections and promoting/conserving long-term avian diversity. We refer you to page 71 (Table 46) of that report for a list of birds of conservation concern in Region 6 (the Service Region where your project is proposed). Recent avian surveys at other sites in central South Dakota have documented numerous species that are included in Region 6's Birds of Conservation Concern list, such as northern harrier, upland sandpiper, marbled godwit, burrowing owl, grasshopper sparrow, chestnut-collared longspur, and bobolink. Depending upon available habitat, it is likely that some/all of these and perhaps other species of concern may be found in either the Winner or Crow Lake Sites. A primary threat to these species is habitat loss and fragmentation. In accordance with the National Environmental Policy Act and Executive Order 13186 regarding migratory bird protection/conservation, we recommend avoidance, minimization, and finally, offsetting measures to reduce the unavoidable impacts to species protected by the Migratory Bird Treaty Act (MBTA). MBTA compliance may be partially addressed in an Avian and Bat Protection Plan (see below); however, a separate mitigation plan that specifically addresses direct and indirect take of birds during and after construction (via collision, habitat loss, and habitat avoidance) is also recommended. This office can assist with development of such a plan.

Meteorological Towers

Meteorological towers constructed in association with wind turbines are often similar in design to typical communications towers: tall, lighted, lattice structured, and guyed. These types of towers can be problematic for birds, particularly during inclement weather, as they enter the lighted area, become reluctant to leave it, and suffer mortality as they circle the structure and collide with the guy wires or the lattice of the tower itself. We are aware that meteorological towers already exist at the proposed sites but are uncertain of the tower designs. Guidance set forth in "*U.S. Fish and Wildlife Service Interim Guidelines for Recommendations on Communications Tower Siting, Constructions, Operation and Decommissioning*" may be found online at http://www.fws.gov/habitatconservation/communicationtowers.html. We recommend adherence to these guidelines for construction of new towers and retrofitting of existing towers to minimize the threat of avian mortality at these structures. Please note that it may be possible to apply some of these guidelines to the turbine towers as well.

In order to obtain information on the usefulness of the communications tower guidelines in preventing birds strikes and to identify any recurring problems with their implementation which may necessitate modifications, please advise us of the final location and specifications of any towers associated with the wind turbine project and which of the measures recommended for the protection of migratory birds were implemented. If any of the recommended measures cannot be implemented, please explain why they were not feasible. A Tower Site Evaluation Form is also available via the above communications tower website:

(http://www.fws.gov/habitatconservation/communicationtowers.html). Please complete this form and forward it to our office.

Power Lines

The construction of additional overhead power lines associated with wind farms creates the threat of avian electrocution, particularly for raptors. Thousands of these birds, including endangered species, are killed annually as they attempt to utilize overhead power lines as nesting, hunting, resting, feeding, and sunning sites. The Service recommends the installation of underground, rather than overhead, power lines whenever possible and appropriate to minimize environmental disturbances. For all new overhead lines or modernization of old overhead lines, we recommend incorporating measures to prevent avian electrocutions. The publication entitled "*Suggested Practices for Avian Protection on Power Lines - The State of the Art in 2006*" has many good suggestions including pole extensions, modified positioning of live phase conductors and ground wires, placement of perch guards and elevated perches, elimination of cross arms, use of wood (not metal) braces, and installation of various insulating covers. You may obtain this publication by contacting the Edison Electric Institute via their website at www.eei.org or by calling 1-800-334-5453.

Please note that utilizing just one of the *"Suggested Practices . . ."* methods may not entirely remove the threat of electrocution to raptors. In fact, improper use of some methods may increase electrocution mortality. Perch guards, for example, may be only partially effective as some birds may still attempt to perch on structures with misplaced or small-sized guards and may suffer electrocution as they approach too close to conducting materials. Among the most dangerous structures to raptors are poles that are located at a crossing of two or more lines, exposed above-ground transformers, or dead end poles. Numerous hot and neutral lines at these sites, combined with inadequate spacing between conductors, increase the threat of avian electrocutions. Perch guards placed on other poles have in some cases served to actually shift birds to these more dangerous sites, increasing the number of mortalities. Thus, it may be necessary to utilize other methods or combine methods to achieve the best results. The same principles may be applied to substation structures.

Please also note that the spacing recommendation within the *"Suggested Practices . . ."* publication of at least 60 inches between conductors or features that cause grounding may not be protective of larger raptors such as eagles. This measure was based on the fact that the skin-to-skin contact distance on these birds (i.e., talon to beak, wrist to wrist, etc.) is less than 60 inches. However, an adult eagle's wingspan (distance between feather tips) may vary from 66 to 96 inches depending on the species (golden or bald) and gender of the bird. Unfortunately, wet feathers in contact with conductors and/or grounding connections can result in a lethal electrical surge. Thus, the focus of the above precautionary measures should be to a) provide more than 96 inches of spacing between conductors or grounding features, b) insulate exposed conducting features so that contact will not cause raptor electrocution, and/or c) prevent raptors from perching on the poles in the first place.

Additional information regarding simple, effective ways to prevent raptor electrocutions on power lines is available in video form. *"Raptors at Risk"* may be obtained by contacting EDM International, Inc. at 4001 Automation Way, Fort Collins, Colorado 80525-3479, Telephone No. (970) 204-4001, or by visiting their website at http://www.edmlink.com/raptorvideo.htm.

In addition to electrocution, overhead power lines also present the threat of avian line strike mortality. Particularly in situations where these lines are adjacent to large wetlands or where waters exist on opposite sides of the lines, we recommend marking them in order to make them more visible to birds. For more information on bird strikes, please see *"Mitigating Bird Collisions With Power Lines: The State of the Art in 1994"* which may be obtained by contacting the Edison Electric Institute at the same website and telephone number listed above. While line marking is recommended to reduce the risk of collision, it does not preclude line strike mortality entirely. Thus, marking of additional, existing overhead lines is recommended as a means to further mitigate the potential for line strike mortality to migratory birds, including threatened/endangered species such as the whooping crane.

Avian and Bat Protection Plans

The Service has coordinated with the Avian Power Line Interaction Committee (APLIC) to develop guidelines to assist companies in formulating Avian Protection Plans (APP). APPs are utility-specific and designed to reduce avian and operational risks that result from avian interactions with electric utility facilities, but they may be adapted to wind energy facilities as well and include consideration of bat species which are known to suffer mortality at wind farms. We encourage the project developer of the proposed wind farm to investigate the formulation of an A(and B [bat])PP and incorporate that into the draft EIS. The guidelines may be accessed at APLIC's website at http://www.aplic.org/.

MBTA and Bald and Golden Eagle Protection Act (BGEPA)

Although the Service's tower, utility, and wind turbine guidelines will provide some protection for migratory birds, implementation of these measures alone will not remove any liability should violations of the law occur. Please be apprised of the potential application of the MBTA of 1918, as amended, 16 U.S.C. 703 et seq., and the BGEPA of 1940, as amended, 16 U.S.C. 668 et seq., to your project. The MBTA does not require intent to be proven and does not allow for "take," except as permitted by regulations. Section 703 of the MBTA provides: "Unless and except as permitted by regulations . . . it shall be unlawful at any time, by any means, or in any manner, to . . . take, capture, kill, attempt to take, capture, or kill, possess . . . any migratory bird, any part, nest, or eggs of any such bird . . . ." The BGEPA prohibits knowingly taking, or taking with wanton disregard for the consequences of an activity, any bald or golden eagles or their body parts, nests, or eggs, which includes collection, molestation, disturbance, or killing activities.

It is understood that some birds may be killed even if all reasonable conservation measures are implemented. The Service's Office of Law Enforcement carries out its mission to protect migratory birds through investigations and enforcement and through fostering relationships with individuals and industries seeking to eliminate their impacts to migratory birds. While it is not

possible under the MBTA and the BGEPA to absolve individuals or companies from liability by following these guidelines, enforcement will be focused on those individuals or companies that take migratory birds with disregard for the law and where no legitimate conservation measures have been applied.

Bats

Bats are known to suffer mortality due to direct collisions with wind turbines, and it has been recently determined that many also die as a result of air pressure changes at the turbine blades that cause internal injuries. The SDDGFP has completed a state management plan for bats and may be able to provide additional information and/or recommendations regarding this project. If you have not already done so, please contact Silka Kempema at the SDDGFP-Wildlife Division, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501, Telephone No. (605) 773-2742, for more information.

U.S. Geological Survey (USGS) Research

The Northern Prairie Wildlife Research Center of Jamestown, North Dakota, has initiated studies of avian responses to wind turbines in both North Dakota and South Dakota. Their research may be relevant to your project, depending on habitat within the project area(s). We recognize that a consultant has already been hired for the Prairie Winds Project and that wildlife surveys are currently underway as of this writing. However, we recommend that you contact Ms. Jill Shaffer of the Northern Prairie Wildlife Research Center at (701) 253-5547 for more information about the USGS project; the preliminary results of that ongoing study appear pertinent to Prairie Winds.

If changes are made in the project plans or operating criteria, or if additional information becomes available, the Service should be informed so that the above determinations can be reconsidered.

The Service appreciates the opportunity to provide scoping comments and looks forward to development of the draft EIS. If you have any questions on these comments, please contact Natalie Gates of this office at (605) 224-8693, Extension 234.

Sincerely,

Scott Larson

Acting For

Pete Gober
Field Supervisor
South Dakota Field Office

OCT 1 4 2009

Mr. Pete Gober, Field Supervisor
U.S. Fish and Wildlife Service
South Dakota Field Office
420 South Garfield Ave., Suite 400
Pierre, South Dakota 57501-5408

RE: Endangered Species Act Section 7 Consultation, Proposed Prairie Winds SD1 Wind Energy Facility, Aurora, Brule, Jerauld, and Tripp Counties, South Dakota

Dear Mr. Gober:

The U.S Department of Energy's Western Area Power Administration (Western), and the U.S. Department of Agriculture's Rural Utilities Service (RUS) [the Agencies] are currently considering whether to provide electrical interconnection and financing, respectively, for the construction of a 150-MW wind generating facility on one of two proposed sites in the subject counties. The proposed facility called Prairie Winds SD1 would be developed, constructed, and operated by Prairie Winds SD1 Incorporated, a wholly owned subsidiary of Basin Electric Power Cooperative, Inc., of Bismarck, ND.

Western and RUS are the co-lead Federal agencies responsible for compliance with the National Environmental Policy Act (NEPA) and related statutes [including the Endangered Species Act of 1973 (ESA)] for the proposed project. The Agencies issued a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) dated April 9, 2009, to which your office responded in a letter dated May 13, 2009.

The purpose of this letter is to inform you of our intended approach to consultation under Section 7(a) of the ESA, and designate a non-federal agent for consultation. Your May 13, 2009, letter provided sufficient information on listed species in the proposed project counties to allow us to begin the preparation of a Biological Assessment (BA) and related activities. Per your letter, the following are the current Federally-listed species in the proposed project counties:

Mr. Pete Gober

Status	***Species/Listing Name***
E	Crane, whooping except where EXPN (*Grus americana*)
T	Plover, piping except Great Lakes watershed (*Charadrius melodus*)
E	Shiner, Topeka (*Notropis topeka (=tristis)*)
E	American Burying beetle (*Nicrophorus americanus*)

We request that you provide any updates or changes to this list, otherwise we will proceed with our analyses based on the four species listed. A project description was provided in the Agencies' April 9, 2009, letter and it has not changed since then.

RUS will be the lead agency for Section 7 consultation, with the assistance of Western and their EIS contractor. We wish to designate as our agent for consultation Mr. Patrick Golden of Heritage Environmental Consultants in Denver, Colorado. Mr. Golden can be reached at (303) 618-7910 or by email at pgolden@heritage-ec.com. Heritage will be preparing the BA under supervision and for final approval by the Agencies. We trust that Mr. Golden will be able to work with your office directly for any information or other needs as he prepares the BA.

If you have any questions or require additional information please contact Richard Fristik, Sr. Environmental Protection Specialist, RUS, Engineering and Environmental Staff at (202) 720-5093, or e-mail richard.fristik@wdc.usda.gov; or contact Ms. Misti Schriner, Biologist, Western at (720) 962-7239, or e-mail mschriner@wapa.gov.

Sincerely,

Mark S. Plank

MARK S. PLANK
Director
Engineering and Environmental Staff
Water and Environmental Programs
USDA, Rural Utilities Service

cc: EES file EES DRankin EES RFristik EES MPlank S/O SD

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Draft: EES RFristik, (202) 720-5093, 10/6/09; final mw 10/7/09
Recall: s/wep/rfristik/PW_SD_1_S 7 initial letter

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
420 South Garfield Avenue, Suite 400
Pierre, South Dakota 57501-5408

November 12, 2009

Mr. Mark Plank, Director
USDA Rural Utilities Service
Engineering and Environmental Staff
Water and Environmental Program
1400 Independence Avenue, S.W.
Washington, DC 20250-0700

Re: Proposed Prairie Winds SD1 Wind Energy Facility - Aurora, Brule, Jerauld, and Tripp Counties, South Dakota

Dear Mr. Plank:

This letter is in response to your request dated October 14, 2009, for an update of federally-listed species (originally provided in our May 13, 2009, letter to your agency and the Western Area Power Administration [Western]) that may occur in the proposed project area(s) of the above referenced Prairie Winds SD1 Wind Energy Facility. It is our understanding that two sites are currently being evaluated for this facility: the Crow Lake site (Aurora/Jerauld/Brule Counties) and the Winner site (Tripp County).

We acknowledge your proposed approach to the section 7 consultation process with your agency, the U.S. Department of Agriculture- Rural Utilities Service (USDA-RUS), as the lead to be assisted by the Western/their Environmental Impact Statement contractor and the designation of Mr. Patrick Golden of Heritage Environmental Consultants in Denver, Colorado, as your agent for consultation purposes.

In accordance with section 7(c) of the Endangered Species Act (ESA), as amended, 16 U.S.C. 1531 et seq., we have determined that the following federally listed species may occur in the project area (this list is considered valid for 90 days):

Species	Status	Expected Occurrence
Whooping crane (Grus americana)	Endangered	Migration.
American burying beetle (Nicrophorus americanus)	Endangered	Resident, Tripp County.
Piping plover (Charadrius melodus)	Threatened	Migration, Nesting.
Topeka shiner (Notropis topeka)	Endangered	Resident, Waterways of Jerauld and Aurora Counties.

The detailed information for the above species provided in our May 13, 2009, letter remains pertinent.

If the USDA-RUS or their designated representative determines that the project "may adversely affect" listed species in South Dakota, it should request formal consultation from this office. If a "may affect - not likely to adversely affect" determination is made for this project, it should be submitted to this office for concurrence. If a "no effect" determination is made, further consultation may not be necessary. However, a copy of the determination should be sent to this office.

In addition to your consideration of the above federally listed species, please note that a substantial 90-day finding was recently issued by the U.S. Fish and Wildlife Service (Service) in response to a petition to list a species likely to occur within both of the potential Prairie Winds SD1 project sites: the northern leopard frog (Federal Register, Volume 74, No. 125, Wednesday, July 1, 2009, pages 31389-31401). The positive 90-day finding for the northern leopard frog does not afford it any level of protection under the ESA; however, a status review (12-month finding) is currently underway wherein the Service will determine whether listing of the western portion of the northern leopard frog's population - west of the Mississippi River/Great Lakes Region - is warranted. The conclusion of the status review will be either a) the species does not warrant listing (i.e., no further action will be taken), or b) the species is warranted for ESA protection (i.e., it becomes a candidate species and may be proposed for listing immediately or sometime in the future). We recommend that you remain vigilant for the changing status of the northern leopard frog and consider the development and implementation of proactive measures to conserve northern leopard frog individuals and populations during all phases and activities associated with the proposed Prairie Winds SD1 Wind Energy Facility. You may contact Natalie Gates of this office at (605) 224-8693, Extension 234, for updates of the northern leopard frog's status and/or view pertinent information the following website: http://www.fws.gov/southwest/es/Arizona/Northern_Frog.htm.

Please note that the bald eagle (Haliaeetus leucocephalus) occurs throughout South Dakota in all seasons, and new nests are appearing each year. While ESA protections for the bald eagle have been removed, effective August 8, 2007, the species will continue to be protected under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act. These laws protect bald eagles from a variety of harmful actions and impacts. Our agency has developed guidance for the public regarding means to avoid take of the bald eagle under these laws. The *"National Bald Eagle Management Guidelines"* are available online at: http://www.fws.gov/migratorybirds/baldeagle.htm. We recommend reviewing these guidelines as they serve to advise of circumstances where these laws may apply and to assist in avoiding potential violations on this and future projects.

While most species of migratory birds do not receive ESA protections, they are protected by the MBTA and are trust resources of the Service. As indicated in our May 13, 2009, letter submitted to the USDA-RUS and the Western, recent avian surveys in central South Dakota have detected species included in our *"Birds of Conservation Concern 2008"* publication; these species likely occur on both of the proposed sites for the Prairie Winds SD1 Wind Energy Facility based on known habitats occurring in these areas. The establishment of turbines in avian habitats has the potential to negatively affect migratory birds; thus, we continue to recommend avoidance, minimization, and finally, offsetting measures which may be outlined in an Avian and Bat Protection Plan or a separate plan designed to reduce any unavoidable detrimental effects to species protected by the MBTA. Particularly when turbine placement must occur within grasslands, we strongly recommend development of mitigative/offsetting measures for this habitat and its associated wildlife.

The MBTA prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of the Interior. While the MBTA has no provision for allowing unauthorized take, the Service realizes that some birds may be killed as a result of this project even if all reasonable measures to protect them are used. The Service's Office of Law Enforcement carries out its mission to protect migratory birds through investigations and enforcement as well as by fostering relationships with individuals, companies, and industries that have taken effective steps to minimize their impacts on migratory birds and by encouraging others to enact such programs. It is not possible to absolve individuals, companies, or agencies from liability even if they implement avian mortality avoidance or similar conservation measures. However, the Office of Law Enforcement focuses its resources on investigating and prosecuting individuals and companies that take migratory birds without regard for their actions or without following an agreement to avoid take.

The Service has developed an online reporting system for avian mortalities. Instructions for our *"Bird Fatality/Injury Reporting Program"* may be found online at: http://www.aplic.org/USFWS_BirdFatality_FilerInstructions.pdf, and the reporting site itself is located online at: https://birdreport.fws.gov/. Migratory bird mortalities or injuries located by your company, by contractors, or other individuals should be recorded to this online site within 30 days of discovery. This reporting system may be used to compliment an Avian and Bat Protection Plan.

If changes are made in the project plans or operating criteria, or if additional information becomes available, the Service should be informed so that the above determinations can be reconsidered.

The Service appreciates the opportunity to provide comments. If you have any questions on these comments, please contact Natalie Gates of this office at (605) 224-8693, Extension 234.

Sincerely,

for Pete Gober
Field Supervisor
South Dakota Field Office

cc: Western; Lakewood, CO
(Attention: Misti Schriner)
Heritage Environmental Consultants; Denver, CO
(Attention: Patrick Golden)

Table C-1 Wildlife Species Observed in the Crow Lake Alternative (2008-2009 Field Surveys)

Common Name	Scientific Name	Common Name	Scientific Name
Birds			
Cooper's Hawk	*Accipiter cooperii*	Chimney Swift	*Chaetura pelagica*
Western Grebe	*Aechmophorus occidentalis*	Killdeer	*Charadrius vociferous*
Red-winged Blackbird	*Agelaius phoeniceus*	Snow Goose	*Chen caerulescens*
Grasshopper Sparrow	*Ammodramus savannarum*	Northern Flicker	*Colaptes auratus*
Northern Pintail	*Anas acuta*	Northern Bobwhite	*Colinus virginianus*
American Widgeon	*Anas Americana*	Rock Pigeon	*Columba livia*
Green-winged Teal	*Anas carolinensis*	Eastern Wood Pewee	*Contopus virens*
Northern Shoveler	*Anas clypeata*	American Crow	*Corvus brachyrhynchos*
Green-winged Teal	*Anas crecca*	Yellow Warbler	*Dendroica petechia*
Cinnamon Teal	*Anas cyanoptera*	Bobolink	*Dolichonyx oryzivorus*
Blue-winged Teal	*Anas discors*	Gray catbird	*Dumetella carolinensis*
Mallard	*Anas platyrhynchos*	Little Blue Heron	*Egretta caerulea*
Gadwall	*Anas strepera*	Horned Lark	*Eremophila alpestris*
Great Blue Heron	*Ardea herodias*	Brewer’s Blackbird	*Euphagus cyanocephalus*
Redhead	*Aythya Americana*	Merlin	*Falco columbarius*
Ring-necked Duck	*Aythya collaris*	Prairie Falcon	*Falco mexicanus*
Greater Scaup	*Aythya marila*	Peregrine Falcon	*Falco peregrinus*
Canvasback	*Aythya valisineria*	American Kestrel	*Falco sparverius*
Upland Sandpiper	*Bartramia longicauda*	American Coot	*Fulica americana*
Canada Goose	*Branta canadensis*	Wilson’s snipe	*Gallinago delicata*
Snowy Owl	*Bubo scandiacus*	Common Snipe	*Gallinago gallinago*
Great horned Owl	*Bubo virginianus*	Common Loon	*Gavia immer*
Cattle Egret	*Bubulcus ibis*	Common Yellowthroat	*Geothlypis trichas*
Bufflehead	*Bucephala albeola*	Sandhill Crane	*Grus canadensis*
Rough-legged Hawk	*Buteo lagopus*	Barn Swallow	*Hirundo rustica*

Table C-1 Wildlife Species Observed in the Crow Lake Alternative (2008-2009 Field Surveys)

Common Name	Scientific Name	Common Name	Scientific Name
Red-tailed Hawk	*Buteo jamaicensis*	Baltimore Oriole	*Icterus galbula*
Broad-winged Hawk	*Buteo platypterus*	Orchard Oriole	*Icterus spurius*
Ferruginous Hawk	*Buteo regalis*	Loggerhead Shrike	*Lanius ludovicianus*
Swainson's Hawk	*Buteo swainsoni*	California Gull	*Larus californicus*
McCown's Longspur	*Calcarius mccownii*	Ring-billed Gull	*Larus delawarensis*
Chestnut-collared Longspur	*Calcarius ornatus*	Franklin's Gull	*Larus pipixcan*
White-rumped Sandpiper	*Calidris fuscicollis*	Marbled Godwit	*Limosa fedoa*
American Goldfinch	*Carduelis tristis*	Marbled Godwit	*Limosa fedoa*
Turkey Vulture	*Cathartes aura*	Red-headed Woodpecker	*Melanerpes erythrocephalus*
Willet	*Catoptrophorus semipalmatus*	Song Sparrow	*Melospiza melodia*
Common Nighthawk	*Chordeiles minor*	Common Merganser	*Mergus merganser*
Northern Harrier	*Circus cyaneus*	Brown-headed Cowbird	*Molothrus ater*
Marsh Wren	*Cistothorus palustris*	Black-crowned Night-Heron	*Nycticorax nycticorax*
Ruddy Duck	*Oxyura jamaicensis*	N Rough-winged Swallow	*Stelgidopteryx serripennis*
House Sparrow	*Passer domesticus*	Forster's Tern	*Sterna forsteri*
Savannah Sparrow	*Passerculus sandwichensis*	Western Meadowlark	*Sturnella neglecta*
American White Pelican	*P. erythrorhynchos*	European Starling	*Sturnus vulgaris*
Cliff Swallow	*Petrochelidon pyrrhonota*	Tree Swallow	*Tachycineta bicolor*
Double-crested Cormorant	*Phalacrocorax auritus*	Brown Thrasher	*Toxostoma rufum*
Ring-necked Pheasant	*Phasianus colchicus*	Greater Yellowlegs	*Tringa melanoleuca*
Black-capped Chickadee	*Poecile atricapillus*	Solitary Sandpiper	*Tringa solitaria*
Vesper Sparrow	*Pooecetes gramineus*	House Wren	*Troglodytes aedon*
Great-tailed Grackle	*Quiscalus mexicanus*	American Robin	*Turdus migratorius*

Table C-1 Wildlife Species Observed in the Crow Lake Alternative (2008-2009 Field Surveys)

Common Name	Scientific Name	Common Name	Scientific Name
Common Grackle	*Quiscalus quiscula*	Greater Prairie-Chicken	*Tympanuchus cupido*
Bank Swallow	*Riparia riparia*	Sharp-tailed Grouse	*Tympanuchus phasianellus*
Eastern Phoebe	*Sayornis phoebe*	Eastern Kingbird	*Tyrannus tyrannus*
American Redstart	*Setophaga ruticilla*	Western Kingbird	*Tyrannus verticalis*
Dickcissel	*Spiza americana*	Bell's Vireo	*Vireo bellii*
Clay Colored Sparrow	*Spizella pallida*	Yellow-headed Blackbird	Xanthocephalus xanthocephalus
Chipping Sparrow	*Spizella passerina*	Mourning Dove	*Zenaida macroura*
Field Sparrow	*Spizella pusilla*		
Mammals			
Coyote	*Canis latrans*	White-tailed Deer	*Odocoileus virginianus*
Black-tailed Prairie Dog	*Cynomys ludovicianus*	Fox Squirrel	*Sciurus niger*
White-tailed Jackrabbit	*Lepus townsendii*	ThirteenLine Ground Squirrel	*Spermophilus tridecemlineatus*
Striped Skunk	*Mephitis mephitis*		
Mink	*Mustela vison*	Eastern Cottontail Rabbit	*Sylvilagus floridanus*
Mule Deer	*Odocoileus hemionus*	Badger	*Taxidea taxus*

Table C-2. Summary of groups (# grps) and individual observations(# obs) by bird type and species by season from fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 through November 12, 2009.

		Spring		Summer		Fall		Overall	
Species/Type	**Scientific Name**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**
Waterbirds		**27**	**159**	**6**	**21**	**4**	**94**	**37**	**274**
American white pelican	*Pelecanus erythrorhyncos*	2	49	0	0	0	0	2	49
black-crowned night-heron	*Nycticorax nycticorax*	0	0	1	4	0	0	1	4
double-crested cormorant	*Phalacrocorax auritus*	2	40	3	3	0	0	5	43
Forster's tern	*Sterna forsteri*	1	1	0	0	0	0	1	1
Franklin's gull	*Larus pipixcan*	5	12	1	13	0	0	6	25
great blue heron	*Ardea herodias*	0	0	1	1	1	1	2	2
ring-billed gull	*Larus delawarensis*	12	30	0	0	0	0	12	30
sandhill crane	*Grus canadensis*	3	24	0	0	2	28	5	52
unidentified gull		2	3	0	0	1	65	3	68
Waterfowl		**147**	**1,036**	**18**	**40**	**5**	**14**	**170**	**1,090**
blue-winged teal	*Anas discors*	9	29	3	9	0	0	12	38

Table C-2. Summary of groups (# grps) and individual observations(# obs) by bird type and species by season from fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 through November 12, 2009.

		Spring		Summer		Fall		Overall	
Species/Type	**Scientific Name**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**
Canada goose	*Branta canadensis*	20	666	1	1	5	14	26	681
gadwall	*Anas strepera*	3	8	3	8	0	0	6	16
green-winged teal	*Anas crecca*	1	2	0	0	0	0	1	2
mallard	*Anas platyrhynchos*	80	200	8	16	0	0	88	216
northern pintail	*Anas acuta*	23	55	0	0	0	0	23	55
northern shoveler	*Anas clypeata*	7	21	3	6	0	0	10	27
ring-necked duck	*Aythya collaris*	1	1	0	0	0	0	1	1
snow goose	*Chen caerulescens*	1	50	0	0	0	0	1	50
unidentified duck		2	4	0	0	0	0	2	4
Shorebirds		**70**	**77**	**74**	**76**	**14**	**26**	**158**	**179**
killdeer	*Charadrius vociferus*	53	57	41	42	14	26	108	125
marbled godwit	*Limosa fedoa*	6	8	4	5	0	0	10	13

Table C-2. Summary of groups (# grps) and individual observations(# obs) by bird type and species by season from fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 through November 12, 2009.

		Spring		Summer		Fall		Overall	
Species/Type	**Scientific Name**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**
upland sandpiper	*Bartramia longicauda*	10	11	29	29	0	0	39	40
Wilson's snipe	*Gallinago delicata*	1	1	0	0	0	0	1	1
Rails/Coots		**1**	**2**	**0**	**0**	**0**	**0**	**1**	**2**
American coot	*Fulica americana*	1	2	0	0	0	0	1	2
Raptors		**56**	**58**	**17**	**18**	**83**	**89**	**156**	**165**
Accipiters		*1*	*1*	*1*	*1*	*2*	*3*	*4*	*5*
Cooper's hawk	*Accipiter cooperii*	1	1	1	1	2	3	4	5
Buteos		*26*	*28*	*11*	*12*	*44*	*48*	*81*	*88*
broad-winged hawk	*Buteo platypterus*	3	3	0	0	1	1	4	4
ferruginous hawk	*Buteo regalis*	0	0	0	0	4	4	4	4
red-tailed hawk	*Buteo jamaicensis*	11	11	6	6	19	22	36	39
rough-legged hawk	*Buteo lagopus*	0	0	0	0	6	7	6	7

Table C-2. Summary of groups (# grps) and individual observations(# obs) by bird type and species by season from fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 through November 12, 2009.

		Spring		Summer		Fall		Overall	
Species/Type	**Scientific Name**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**
Swainson's hawk	*Buteo swainsoni*	6	7	4	4	8	8	18	19
unidentified buteo		6	7	1	2	6	6	13	15
Northern Harrier		*22*	*22*	*4*	*4*	*28*	*28*	*54*	*54*
northern harrier	*Circus cyaneus*	22	22	4	4	28	28	54	54
Falcons		*6*	*6*	*0*	*0*	*8*	*9*	*14*	*15*
American kestrel	*Falco sparverius*	5	5	0	0	3	3	8	8
merlin	*Falco columbarius*	0	0	0	0	1	1	1	1
peregrine falcon	*Falco peregrinus*	0	0	0	0	1	1	1	1
prairie falcon	*Falco mexicanus*	1	1	0	0	3	4	4	5
Owls		*1*	*1*	*1*	*1*	*1*	*1*	*3*	*3*
great horned owl	*Bubo virginianus*	1	1	1	1	1	1	3	3
Vultures		**0**	**0**	**0**	**0**	**2**	**2**	**2**	**2**

Table C-2. Summary of groups (# grps) and individual observations(# obs) by bird type and species by season from fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 through November 12, 2009.

		Spring		Summer		Fall		Overall	
Species/Type	**Scientific Name**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**
turkey vulture	*Cathartes aura*	0	0	0	0	2	2	2	2
Upland Gamebirds		**131**	**147**	**104**	**135**	**56**	**70**	**291**	**352**
greater prairie-chicken	*Tympanuchus cupido*	4	5	1	1	1	2	6	8
ring-necked pheasant	*Phasianus colchicus*	125	140	103	134	55	68	283	342
sharp-tailed grouse	*Tympanuchus phasianellus*	2	2	0	0	0	0	2	2
Doves/Pigeons		**34**	**47**	**95**	**192**	**36**	**79**	**165**	**318**
mourning dove	*Zenaida macroura*	34	47	95	192	36	79	165	318
Large Corvids		**2**	**2**	**1**	**2**	**8**	**9**	**11**	**13**
American crow	*Corvus brachyrhynchos*	2	2	1	2	8	9	11	13
Passerines		**257**	**457**	**412**	**623**	**109**	**1,479**	**778**	**2,559**
American goldfinch	*Carduelis tristis*	0	0	4	5	1	1	5	6
American redstart	*Setophaga ruticilla*	0	0	0	0	1	1	1	1

Table C-2. Summary of groups (# grps) and individual observations(# obs) by bird type and species by season from fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 through November 12, 2009.

		Spring		Summer		Fall		Overall	
Species/Type	**Scientific Name**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**
American robin	*Turdus migratorius*	4	6	7	7	8	110	19	123
Baltimore oriole	*Icterus galbula*	0	0	2	2	0	0	2	2
barn swallow	*Hirundo rustica*	6	11	53	83	16	39	75	133
Bell's vireo	*Vireo bellii*	0	0	1	1	0	0	1	1
bobolink	*Dolichonyx oryzivorus*	0	0	19	20	0	0	19	20
brown-headed cowbird	*Molothrus ater*	16	34	42	86	0	0	58	120
brown thrasher	*Toxostoma rufum*	0	0	4	4	0	0	4	4
chestnut-collared longspur	*Calcarius ornatus*	0	0	3	5	0	0	3	5
chipping sparrow	*Spizella passerina*	0	0	1	1	0	0	1	1
clay-colored sparrow	*Spizella pallida*	0	0	1	1	0	0	1	1
cliff swallow	*Petrochelidon pyrrhonota*	2	5	2	2	1	3	5	10
common grackle	*Quiscalus quiscula*	5	13	9	18	2	2	16	33

Table C-2. Summary of groups (# grps) and individual observations(# obs) by bird type and species by season from fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 through November 12, 2009.

		Spring		Summer		Fall		Overall	
Species/Type	**Scientific Name**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**
dickcissel	*Spiza americana*	0	0	34	38	0	0	34	38
eastern kingbird	*Tyrannus tyrannus*	0	0	31	43	1	1	32	44
eastern phoebe	*Sayornis phoebe*	0	0	1	1	0	0	1	1
European starling	*Sturnus vulgaris*	3	8	0	0	3	8	6	16
field sparrow	*Spizella pusilla*	0	0	2	2	1	2	3	4
grasshopper sparrow	*Ammodramus savannarum*	0	0	1	2	0	0	1	2
gray catbird	*Dumetella carolinensis*	0	0	1	2	0	0	1	2
horned lark	*Eremophila alpestris*	23	53	3	4	31	184	57	241
loggerhead shrike	*Lanius ludovicianus*	1	1	0	0	0	0	1	1
orchard oriole	*Icterus spurius*	0	0	3	4	0	0	3	4
red-winged blackbird	*Agelaius phoeniceus*	55	175	56	148	10	1,082	121	1,405
savannah sparrow	*Passerculus sandwichensis*	3	3	31	31	0	0	34	34

Table C-2. Summary of groups (# grps) and individual observations(# obs) by bird type and species by season from fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 through November 12, 2009.

		Spring		Summer		Fall		Overall	
Species/Type	**Scientific Name**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**
song sparrow	*Melospiza melodia*	0	0	8	8	1	2	9	10
tree swallow	*Tachycineta bicolor*	2	2	0	0	0	0	2	2
unidentified flycatcher		0	0	1	1	0	0	1	1
unidentified sparrow		1	3	0	0	0	0	1	3
unidentified swallow		1	2	0	0	0	0	1	2
unidentified warbler		0	0	0	0	1	1	1	1
vesper sparrow	*Pooecetes gramineus*	0	0	2	3	0	0	2	3
western kingbird	*Tyrannus verticalis*	1	1	11	15	0	0	12	16
western meadowlark	*Sturnella neglecta*	133	139	78	85	32	43	243	267
yellow-headed blackbird	*Xanthocephalus xanthocephalus*	1	1	0	0	0	0	1	1
yellow warbler	*Dendroica petechia*	0	0	1	1	0	0	1	1
Other Birds		**11**	**12**	**19**	**19**	**8**	**15**	**38**	**46**

Table C-2. Summary of groups (# grps) and individual observations(# obs) by bird type and species by season from fixed-point bird use surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, March 19 through November 12, 2009.

		Spring		Summer		Fall		Overall	
Species/Type	**Scientific Name**	# grps	# obs	# grps	# obs	# grps	# obs	# grps	# obs
common nighthawk	*Chordeiles minor*	0	0	15	15	0	0	15	15
northern flicker	*Colaptes auratus*	9	10	2	2	6	13	17	25
red-headed woodpecker	*Melanerpes erythrocephalus*	0	0	1	1	0	0	1	1
unidentified woodpecker		1	1	0	0	2	2	3	3
unidentified bird		1	1	1	1	0	0	2	2
Overall		**736**	**1,997**	**746**	**1,126**	**325**	**1,877**	**1,807**	**5,000**

Table C-3. Total number of groups (# gps) and individuals (# obs) for each bird type and species observed during the breeding bird transect surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, June 2 through July 7, 2009.

Species/Type	Scientific Name	# grps	# obs
Waterbirds		**8**	**12**
double-crested cormorant	*Phalacrocorax auritus*	3	7
Forster's tern	*Sterna forsteri*	1	1
great blue heron	*Ardea herodias*	2	2
unidentified tern		2	2
Waterfowl		**42**	**127**
blue-winged teal	*Anas discors*	8	20
Canada goose	*Branta canadensis*	1	5
gadwall	*Anas strepera*	1	1
mallard	*Anas platyrhynchos*	14	43
northern pintail	*Anas acuta*	5	10
northern shoveler	*Anas clypeata*	2	10
redhead	*Aythya americana*	1	1
ring-necked duck	*Aythya collaris*	1	1
unidentified duck		9	36
Shorebirds		**68**	**90**
killdeer	*Charadrius vociferus*	21	24
marbled godwit	*Limosa fedoa*	5	6
unidentified sandpiper		1	1
upland sandpiper	*Bartramia longicauda*	40	58
willet	*Catoptrophorus semipalmatus*	1	1
Rails/Coots		**1**	**1**

Table C-3. Total number of groups (# gps) and individuals (# obs) for each bird type and species observed during the breeding bird transect surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, June 2 through July 7, 2009.

Species/Type	Scientific Name	# grps	# obs
American coot	*Fulica americana*	1	1
Raptors		**12**	**12**
Northern Harrier		*11*	*11*
northern harrier	*Circus cyaneus*	11	11
Owls		*1*	*1*
great horned owl	*Bubo virginianus*	1	1
Upland Gamebirds		**85**	**117**
greater prairie-chicken	*Tympanuchus cupido*	12	23
ring-necked pheasant	*Phasianus colchicus*	71	92
sharp-tailed grouse	*Tympanuchus phasianellus*	2	2
Doves/Pigeons		**26**	**41**
mourning dove	*Zenaida macroura*	25	38
rock pigeon	*Columba livia*	1	3
Passerines		**1,616**	**2,383**
Blackbirds/Orioles		*899*	*1,488*
brown-headed cowbird	*Molothrus ater*	269	535
bobolink	*Dolichonyx oryzivorus*	68	79
Brewer's blackbird	*Euphagus cyanocephalus*	1	1
common grackle	*Quiscalus quiscula*	21	34
European starling	*Sturnus vulgaris*	2	36
great-tailed grackle	*Quiscalus mexicanus*	3	3
orchard oriole	*Icterus spurius*	1	1
red-winged blackbird	*Agelaius phoeniceus*	118	221

Table C-3. Total number of groups (# gps) and individuals (# obs) for each bird type and species observed during the breeding bird transect surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, June 2 through July 7, 2009.

Species/Type	Scientific Name	# grps	# obs
western meadowlark	*Sturnella neglecta*	395	534
yellow-headed blackbird	*Xanthocephalus xanthocephalus*	21	44
Finches		*6*	*7*
American goldfinch	*Carduelis tristis*	6	7
Flycatchers		*41*	*53*
eastern kingbird	*Tyrannus tyrannus*	31	40
western kingbird	*Tyrannus verticalis*	10	13
Grassland/Sparrows		*653*	*816*
chestnut-collared longspur	*Calcarius ornatus*	70	83
clay-colored sparrow	*Spizella pallida*	11	12
chipping sparrow	*Spizella passerina*	16	17
dickcissel	*Spiza americana*	22	24
field sparrow	*Spizella pusilla*	8	8
grasshopper sparrow	*Ammodramus savannarum*	279	335
horned lark	*Eremophila alpestris*	2	2
McCown's longspur	*Calcarius mccownii*	1	1
savannah sparrow	*Passerculus sandwichensis*	123	123
song sparrow	*Melospiza melodia*	1	2
unidentified sparrow		43	50
vesper sparrow	*Pooecetes gramineus*	4	4
Swallows		*73*	*155*
bank swallow	*Riparia riparia*	10	12
barn swallow	*Hirundo rustica*	53	125

Table C-3. Total number of groups (# gps) and individuals (# obs) for each bird type and species observed during the breeding bird transect surveys at the PrairieWinds SD1 Crow Lake Wind Resource Area, June 2 through July 7, 2009.

Species/Type	Scientific Name	# grps	# obs
cliff swallow	*Petrochelidon pyrrhonota*	5	8
northern rough-winged swallow	*Stelgidopteryx serripennis*	2	5
unidentified swallow		3	5
Thrushes		*4*	*4*
American robin	*Turdus migratorius*	3	3
unidentified bluebird		1	1
Warblers		*3*	*3*
common yellowthroat	*Geothlypis trichas*	1	1
yellow warbler	*Dendroica petechia*	2	2
Wrens		1	1
house wren	*Troglodytes aedon*	1	1
Unidentified Passerines		9	11
unidentified passerine		9	11
Other Birds		**2**	**2**
northern flicker	*Colaptes auratus*	1	1
unidentified bird		1	1
Total		**1,860**	**2,785**

Table C-4 Wildlife Species Observed in the Winner Alternative (2008-2009 Field Surveys)

Common Name	Scientific Name	Common Name	Scientific Name
Birds			
Cooper's Hawk	*Accipiter cooperii*	Rock Dove	*Columba livia*
Red-winged Blackbird	*Agelaius phoeniceus*	American Crow	*Corvus brachyrhynchos*
Wood Duck	*Aix sonsa*	Blue Jay	*Cyanocitta cristata*
Grasshopper Sparrow	*Ammodramus savannarum*	Tundra Swan	*Cygnus columbianus*
Northern Pintail	*Anas acuta*	Bell's Vireo	*Dendroica castanea*
American Widgeon	*Anas Americana*	Yellow-rumped Warbler	*Dendroica coronata*
Green-winged Teal	*Anas carolinensis*	Yellow Warbler	*Dendroica petechia*
Northern Shoveler	*Anas clypeata*	Bobolink	*Dolichonyx oryzivorus*
Blue-winged Teal	*Anas discors*	Horned Lark	*Eremophila alpestris*
Mallard	*Anas platyrhynchos*	Merlin	*Falco columbarius*
Teal species	*Anas spp*	Peregrine Falcon	*Falco peregrinus*
Gadwall	*Anas strepera*	Prairie Falcon	*Falco mexicanus*
Great Blue Heron	*Ardea herodias*	American Kestrel	*Falco sparverius*
Burrowing Owl	*Athene cunicularia*	American Coot	*Fulica americana*
Lesser Scaup	*Aythya affinis*	Wilson’s Snipe	*Gallinago delicata*
Ring-necked Duck	*Aythya collaris*	Common snipe	*Gallinago gallinago*
Greater Scaup	*Aythya marila*	Common yellowthroat	*Geothlypis trichas*
Canvasback	*Aythya valisineria*	Sandhill crane	*Grus canadensis*
Upland Sandpiper	*Bartramia longicauda*	Bald eagle	*Haliaeetus leucocephalus*
Canada Goose	*Branta canadensis*	Barn swallow	*Hirundo rustica*
Great horned Owl	*Bubo virginianus*	Baltimore Oriole	*Icterus galbula*
Cattle Egret	*Bubulcus ibis*	Orchard oriole	*Icterus spurius*
Bufflehead	*Bucephala albeola*	Dark-eyed junco	*Junco hyemalis*

Table C-4 Wildlife Species Observed in the Winner Alternative (2008-2009 Field Surveys)

Common Name	Scientific Name	Common Name	Scientific Name
Red-tailed Hawk	*Buteo jamaicensis*	Northern shrike	*Lanius excubitor*
Rough-legged Hawk	*Buteo lagopus*	Loggerhead shrike	*Lanius ludovicianus*
Broad-winged Hawk	*Buteo platypterus*	Long-billed Dowitcher	*Limnodromus scholopaceus*
Ferruginous Hawk	*Buteo regalis*	Marbled godwit	*Limosa fedoa*
Swainson's Hawk	*Buteo swainsoni*	Red-headed woodpecker	*Melanerpes erythrocephalus*
Chestnut-collared Longspur	*Calcarius ornatus*	Wild turkey	*Meleagris gallopavo*
American Goldfinch	*Carduelis tristis*	Song sparrow	*Melospiza melodia*
Turkey Vulture	*Cathartes aura*	Black-and-white warbler	*Mniotilta varia*
Belted Kingfisher	*Ceryle alcyon*	Brown-headed cowbird	*Molothrus ater*
Killdeer	*Charadrius vociferous*	Ruddy duck	*Oxyura jamaicensis*
Snow Goose	*Chen caerulescens*	Osprey	*Pandion haliaetus*
Lark Sparrow	*Chondestes grammacus*	Savannah sparrow	*Passerculus sandwichensis*
Common Nighthawk	*Chordeiles minor*	American white pelican	*Pelecanus erythrorhynchos*
Northern Harrier	*Circus cyaneus*	Cliff swallow	*Petrochelidon pyrrhonota*
Northern Flicker	*Colaptes auratus*	Double-crested cormorant	*Phalacrocorax auritus*
Northern Bobwhite	*Colinus virginianus*	Wilson's phalarope	*Phalaropus tricolor*
Ring-necked Pheasant	*Phasianus colchicus*	Western Meadowlark	*Sturnella neglecta*
Downy Woodpecker	*Picoides pubescens*	European Starling	*Sturnus vulgaris*
Pied-billed Grebe	*Podilymbus podiceps*	Tree Swallow	*Tachycineta bicolor*
Black-capped Chickadee	*Poecile atricapillus*	Brown Thrasher	*Toxostoma rufum*

Table C-4 Wildlife Species Observed in the Winner Alternative (2008-2009 Field Surveys)

Common Name	Scientific Name	Common Name	Scientific Name
Common Grackle	*Quiscalus quiscula*	Lesser Yellowlegs	*Tringa flavipes*
Bank Swallow	*Riparia riparia*	House Wren	*Troglodytes aedon*
Eastern Bluebird	*Sialia sialis*	American Robin	*Turdus migratorius*
White-breasted Nuthatch	*Sitta carolinenis*	Greater Prairie Chicken	*Tympanuchus cupido*
Dickcissel	*Spiza americana*	Sharp-tailed Grouse	*Tympanuchus phasianellus*
Clay-colored Sparrow	*Spizella pallida*	Eastern Kingbird	*Tyrannus tyrannus*
Chipping Sparrow	*Spizella passerina*	Western Kingbird	*Tyrannus verticalis*
Field Sparrow	*Spizella pusilla*	Yellow-headed Blackbird	Xanthocephalus xanthocephalus
N Rough-winged Swallow	*Stelgidopteryx serripennis*	Mourning Dove	*Zenaida macroura*
Mammals			
Coyote	*Canis latrans*	White-tailed deer	*Odocoileus virginianus*
Black-tailed prairie dog	*Cynomys ludovicianus*	Muskrat	*Ondatra zibethicus*
Virginia Opossum	*Didelphis virginiana*	Raccoon	*Procyon lotor*
Pocket gopher	*Geomys bursarius*	Cottontail rabbit	*Sylvilagus floridanus*
White-tailed jackrabbit	*Lepus townsendii*	Badger	*Taxidea taxus*
Striped skunk	*Mephitis mephitis*	Red fox	*Vulpes vulpes*
Mule deer	*Odocoileus hemionus*		
Reptiles and Amphibians			
Painted turtle	*Chrysemys picta*	Garter snake	*Thamnophis sirtalis*
Bull snake	*Pituophis catenifer sayi*	Northern leopard frog	*Rana pipiens*

Table C-5. Summary of groups (# grps) and individual (# obs) observations by species and bird type by season from fixed-point bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, April 6 - November 11, 2009.

		Spring		Summer		Fall		Total	
Species/Type	**Scientific Name**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**	**# grps**	**# obs**
Waterbirds		**8**	**115**	**2**	**2**	**6**	**197**	**16**	**314**
American white pelican	Pelecanus erythrorhyncos	1	2	0	0	1	95	2	97
cattle egret	Bubulcus ibis	1	1	0	0	0	0	1	1
double-crested cormorant	Phalacrocorax auritus	3	109	0	0	0	0	3	109
great blue heron	Ardea herodias	2	2	2	2	2	2	6	6
pied-billed grebe	Podilymbus podiceps	0	0	0	0	1	1	1	1
sandhill crane	Grus canadensis	1	1	0	0	2	99	3	100
Waterfowl		**50**	**90**	**4**	**10**	**5**	**52**	**59**	**152**
blue-winged teal	Anas discors	5	10	0	0	2	30	7	40
Canada goose	Branta canadensis	7	11	1	5	1	1	9	17
gadwall	Anas strepera	1	2	0	0	0	0	1	2
lesser scaup	Aythya affinis	1	2	0	0	0	0	1	2
mallard	Anas platyrhynchos	29	52	3	5	2	21	34	78
northern pintail	Anas acuta	3	4	0	0	0	0	3	4

Table C-5. Summary of groups (# grps) and individual (# obs) observations by species and bird type by season from fixed-point bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, April 6 - November 11, 2009.

		Spring		Summer		Fall		Total	
northern shoveler	Anas clypeata	1	1	0	0	0	0	1	1
ring-necked duck	Aythya collaris	1	4	0	0	0	0	1	4
unidentified duck		1	3	0	0	0	0	1	3
wood duck	Aix sponsa	1	1	0	0	0	0	1	1
Shorebirds		**71**	**75**	**45**	**47**	**9**	**20**	**125**	**142**
killdeer	Charadrius vociferus	24	24	16	17	8	13	48	54
lesser yellowlegs	Tringa flavipes	3	7	0	0	0	0	3	7
long-billed dowitcher	Limnodromus scholopaceus	0	0	0	0	1	7	1	7
marbled godwit	Limosa fedoa	1	1	0	0	0	0	1	1
upland sandpiper	Bartramia longicauda	32	32	25	26	0	0	57	58
Wilson's snipe	Gallinago delicata	11	11	4	4	0	0	15	15
Raptors		**27**	**30**	**16**	**16**	**55**	**60**	**98**	**106**
Buteos		15	17	13	13	40	45	68	75
broad-winged hawk	Buteo platypterus	0	0	0	0	1	1	1	1
ferruginous hawk	Buteo regalis	1	1	0	0	0	0	1	1

Table C-5. Summary of groups (# grps) and individual (# obs) observations by species and bird type by season from fixed-point bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, April 6 - November 11, 2009.

		Spring		Summer		Fall		Total	
red-tailed hawk	Buteo jamaicensis	4	4	10	10	22	27	36	41
rough-legged hawk	Buteo lagopus	1	2	0	0	5	5	6	7
Swainson's hawk	Buteo swainsoni	4	4	2	2	4	4	10	10
unidentified buteo		5	6	1	1	8	8	14	15
Northern Harrier		7	7	1	1	10	10	18	18
northern harrier	Circus cyaneus	7	7	1	1	10	10	18	18
Falcons		**4**	**5**	**2**	**2**	**4**	**4**	**10**	**11**
American kestrel	Falco sparverius	4	5	1	1	2	2	7	8
merlin	Falco columbarius	0	0	0	0	1	1	1	1
prairie falcon	Falco mexicanus	0	0	1	1	1	1	2	2
Owls		1	1	0	0	1	1	2	2
great horned owl	Bubo virginianus	1	1	0	0	1	1	2	2
Vultures		**7**	**12**	**4**	**4**	**6**	**6**	**17**	**22**
turkey vulture	Cathartes aura	7	12	4	4	6	6	17	22
Upland Gamebirds		**131**	**230**	**56**	**81**	**42**	**186**	**229**	**497**

Table C-5. Summary of groups (# grps) and individual (# obs) observations by species and bird type by season from fixed-point bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, April 6 - November 11, 2009.

		Spring		Summer		Fall		Total	
greater prairie-chicken	Tympanuchus cupido	7	35	0	0	1	35	8	70
ring-necked pheasant	Phasianus colchicus	112	132	53	65	34	75	199	272
sharp-tailed grouse	Tympanuchus phasianellus	3	6	0	0	3	57	6	63
wild turkey	Meleagris gallopavo	9	57	3	16	4	19	16	92
Doves/Pigeons		**55**	**78**	**102**	**179**	**51**	**85**	**208**	**342**
mourning dove	Zenaida macroura	54	76	102	179	51	85	207	340
rock pigeon	Columba livia	1	2	0	0	0	0	1	2
Large Corvids		**11**	**13**	**6**	**7**	**18**	**55**	**35**	**75**
American crow	Corvus brachyrhynchos	11	13	6	7	18	55	35	75
Passerines		315	552	399	476	143	1238	857	2266
American goldfinch	Carduelis tristis	0	0	4	4	1	1	5	5
American robin	Turdus migratorius	22	24	11	13	8	13	41	50
Baltimore oriole	Icterus galbula	3	3	1	1	0	0	4	4
barn swallow	Hirundo rustica	4	4	26	43	18	43	48	90
blue jay	Cyanocitta cristata	2	2	0	0	0	0	2	2

Table C-5. Summary of groups (# grps) and individual (# obs) observations by species and bird type by season from fixed-point bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, April 6 - November 11, 2009.

		Spring		Summer		Fall		Total	
bobolink	Dolichonyx oryzivorus	4	5	10	10	0	0	14	15
brown-headed cowbird	Molothrus ater	15	30	18	42	2	21	35	93
brown thrasher	Toxostoma rufum	0	0	5	5	0	0	5	5
chestnut-collared longspur	Calcarius ornatus	0	0	1	1	0	0	1	1
chipping sparrow	Spizella passerina	2	25	0	0	0	0	2	25
cliff swallow	Petrochelidon pyrrhonota	1	5	0	0	0	0	1	5
common grackle	Quiscalus quiscula	16	43	6	11	3	6	25	60
common yellowthroat	Geothlypis trichas	0	0	2	2	0	0	2	2
dark-eyed junco	Junco hyemalis	2	5	0	0	0	0	2	5
dickcissel	Spiza americana	0	0	61	61	0	0	61	61
eastern bluebird	Sialia sialis	2	2	0	0	1	3	3	5
eastern kingbird	Tyrannus tyrannus	4	6	31	36	3	6	38	48
European starling	Sturnus vulgaris	9	23	0	0	4	71	13	94
field sparrow	Spizella pusilla	0	0	2	2	0	0	2	2
horned lark	Eremophila alpestris	6	6	3	3	37	212	46	221

Table C-5. Summary of groups (# grps) and individual (# obs) observations by species and bird type by season from fixed-point bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, April 6 - November 11, 2009.

		Spring		Summer		Fall		Total	
loggerhead shrike	Lanius ludovicianus	2	3	2	2	1	1	5	6
red-winged blackbird	Agelaius phoeniceus	59	199	64	75	10	748	133	1022
savannah sparrow	Passerculus sandwichensis	2	2	37	37	0	0	39	39
song sparrow	Melospiza melodia	1	1	1	1	1	1	3	3
tree swallow	Tachycineta bicolor	0	0	1	2	1	2	2	4
unidentified sparrow		0	0	0	0	2	5	2	5
western kingbird	Tyrannus verticalis	1	1	8	12	0	0	9	13
western meadowlark	Sturnella neglecta	157	162	105	113	50	104	312	379
white-breasted nuthatch	Sitta carolinenis	0	0	0	0	1	1	1	1
yellow-rumped warbler	Dendroica coronata	1	1	0	0	0	0	1	1
Other Birds		**28**	**28**	**37**	**39**	**10**	**11**	**75**	**78**
common nighthawk	Chordeiles minor	0	0	21	21	0	0	21	21
downy woodpecker	Picoides pubescens	1	1	0	0	0	0	1	1
northern flicker	Colaptes auratus	23	23	9	11	7	8	39	42
red-headed woodpecker	Melanerpes erythrocephalus	1	1	6	6	2	2	9	9

Table C-5. Summary of groups (# grps) and individual (# obs) observations by species and bird type by season from fixed-point bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, April 6 - November 11, 2009.

		Spring		Summer		Fall		Total	
unidentified woodpecker		3	3	1	1	1	1	5	5
Overall		**703**	**1223**	**671**	**861**	**345**	**1910**	**1719**	**3994**

Table C-6. Total number of groups (# grps) and individuals (# obs) for each bird type and species observed during the transect breeding bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, June 12 – July 10, 2009.

Species/Type	Scientific Name	# grps	# obs
Waterbirds		14	14
great blue heron	Ardea herodias	14	14
Waterfowl		21	50
blue-winged teal	Anas discors	2	11
canvasback	Aythya valisineria	1	1
mallard	Anas platyrhynchos	18	38
Shorebirds		192	225
common snipe	Gallinago gallinago	18	18
killdeer	Charadrius vociferus	36	46
upland sandpiper	Bartramia longicauda	135	156
Wilson's phalarope	Phalaropus tricolor	3	5
Raptors		12	12
Buteos		9	9
red-tailed hawk	Buteo jamaicensis	7	7
unidentified buteo		2	2
Falcons		*1*	*1*
prairie falcon	Falco mexicanus	1	1
Owls		1	1
great horned owl	Bubo virginianus	1	1
Other Raptors		*1*	*1*
unidentified raptor		1	1
Upland Gamebirds		30	34
greater prairie-chicken	Tympanuchus cupido	3	6
northern bobwhite	Colinus virginianus	1	1

Table C-6. Total number of groups (# grps) and individuals (# obs) for each bird type and species observed during the transect breeding bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, June 12 – July 10, 2009.

Species/Type	Scientific Name	# grps	# obs
ring-necked pheasant	Phasianus colchicus	24	25
sharp-tailed grouse	Tympanuchus phasianellus	1	1
wild turkey	Meleagris gallopavo	1	1
Doves/Pigeons		69	92
mourning dove	Zenaida macroura	69	92
Passerines		1,390	1,787
Blackbirds/Orioles		*736*	*1,096*
brown-headed cowbird	Molothrus ater	73	134
bobolink	Dolichonyx oryzivorus	115	139
common grackle	Quiscalus quiscula	11	99
orchard oriole	Icterus spurius	1	1
red-winged blackbird	Agelaius phoeniceus	116	262
western meadowlark	Sturnella neglecta	417	456
yellow-headed blackbird	Xanthocephalus xanthocephalus	3	5
Creepers/Nuthatches		*1*	*1*
white-breasted nuthatch	**Sitta carolinenis**	1	1
Finches		*5*	*5*
American goldfinch	Carduelis tristis	5	5
Flycatchers		*13*	*14*
eastern kingbird	Tyrannus tyrannus	7	8
western kingbird	Tyrannus verticalis	6	6
Grassland/Sparrows		*570*	*578*
chestnut-collared longspur	Calcarius ornatus	11	12
dickcissel	Spiza americana	108	109

Table C-6. Total number of groups (# grps) and individuals (# obs) for each bird type and species observed during the transect breeding bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, June 12 – July 10, 2009.

Species/Type	Scientific Name	# grps	# obs
field sparrow	Spizella pusilla	5	5
grasshopper sparrow	Ammodramus savannarum	58	58
horned lark	Eremophila alpestris	6	10
lark sparrow	Chondestes grammacus	2	2
savannah sparrow	Passerculus sandwichensis	361	361
unidentified sparrow		19	21
Mimids		*1*	*1*
brown thrasher	Toxostoma rufum	1	1
Swallows		*42*	*70*
bank swallow	Riparia riparia	1	1
barn swallow	Hirundo rustica	17	22
cliff swallow	Petrochelidon pyrrhonota	7	9
n. rough-winged swallow	Stelgidopteryx serripennis	1	4
tree swallow	Tachycineta bicolor	13	29
unidentified swallow		3	5
Thrushes		*7*	*7*
American robin	Turdus migratorius	2	2
unidentified bluebird		5	5
Titmice/Chickadees		*1*	*1*
black-capped chickadee	Poecile atricapillus	1	1
Vireos		*2*	*2*
Bell's vireo	Dendroica castanea	2	2
Warblers		*8*	*8*
black-and-white warbler	Mniotilta varia	1	1

Table C-6. Total number of groups (# grps) and individuals (# obs) for each bird type and species observed during the transect breeding bird use surveys at the PrairieWinds SD1 Winner Wind Resource Area, June 12 – July 10, 2009.

Species/Type	Scientific Name	# grps	# obs
common yellowthroat	Geothlypis trichas	3	3
yellow warbler	Dendroica petechia	4	4
Wrens		*1*	*1*
house wren	Troglodytes aedon	1	1
Corvids		*3*	*3*
American crow	Corvus brachyrhynchos	3	3
Other Birds		16	18
Woodpeckers		*9*	*11*
northern flicker	Colaptes auratus	7	9
red-headed woodpecker	Melanerpes erythrocephalus	1	1
unidentified woodpecker		1	1
Other Birds		*7*	*7*
common nighthawk	Chordeiles minor	7	7
Overall		1,744	2,232

Appendix D

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Appendix D
Cultural Resources

- Prehistoric Background/Information for the Proposed Project alternatives
- Rosebud correspondence dated September 3, 2009

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Prehistoric Periods

Information pertaining to both Proposed Project site alternatives has been compiled in this section to provide one discussion pertaining to the Prehistoric Period of the regional area. The two site alternatives are within the Great Plains Cultural Area, specifically between the Prairie Culture Area and Plains Culture Area according to Kroeber (1939) and Driver and Massey (1957). The Prairie Culture Area is approximately east of the Missouri River and the Plains Culture Area approximately west of the Missouri River. There are many similarities between the Prairie and Plains cultures, the most significant being hunting and use of bison. Some of the major differences between the two culture areas seen archaeologically are based on settlement patterns. The Plains Tribes resided year-round in tepees and were primarily nomadic, moving across the land, while the Prairie Tribes resided in permanent villages year-round, practiced horticulture, and used tepees when away hunting.

Not much is known about the cultural history of the Paleoindian Tradition in the United States because the Paleoindian Tradition is primarily based on a material culture. Material culture includes cultural remains, such as stone tools, ceramic pots, or ornaments that indicate the material expression of a people. Until very recently (late 2007) the Bering Strait "multiple waves" migration hypothesis put modern Native American Tribes in North America anywhere between 17,500 to 6,000 years ago. There had not been any definitive evidence to link the Paleoindian Tradition occupants to the later inhabitants of the Great Plains area. However, recent DNA evidence has added support for a single migration and population of North and South America as early as 30,000 years ago (PLoS 2007). The following is the established chronology for the Central Plains based on the material culture.

The prehistoric period in South Dakota is divided into the Paleoindian Tradition, ca. 12,000 to 6,000 years before present (B.P.); Plains Archaic Tradition, ca. 6,000 to 3,000 B.P.; Plains Woodland Tradition, ca. 3,000 to 1,200 B.P.; and Plains Village Tradition, ca. 1,200 to 300 B.P.

The northern Plains Paleoindian environment was primarily upland grasslands (Yansa 2007) and ideal habitat for roaming animals such as the extinct mastodon, as well as the American bison. The Paleoindian Tradition (ca. 12,000 to 6,000 B.P.) is characterized by small, nomadic, highly mobile groups that followed game across the landscape. Small and medium-sized animals, fish, and plant resources also supplemented their diet. The Paleoindian Tradition is divided into two phases: Clovis and Folsom, which are based on projectile point types and assumed to reflect changes in hunting technologies, presumably in response to the changing climate that grew successively warmer and drier.

The Plains Archaic Tradition (ca. 6,000 to 3,000 B.P.) reflects different sets of lithic tool and projectile point typologies, as well as ground stone tools. Archaeological evidence of the Plains Archaic Tradition in the Central Plains area includes semi-subterranean pithouses, evidence of waddle and daub structures, side-notched projectile points, and an increase in and more formalized grinding implements. These are likely due to changes in subsistence and settlement

patterns as a response to changing climatic conditions. Groups are now thought to have been more semi-nomadic and to have hunted and gathered in a seasonal pattern with a heavy reliance on communal bison hunts and plant resources.

The Plains Woodland Tradition (ca. 3,000 to 1,200 B.P.) is best seen along water sources. It is distinguished from previous traditions by the presence of ceramics, low circular or conical mounds that may or may not contain burials, and the development of horticultural practices. Bison, as well as a range of smaller mammals and fish, were a primary source of protein. Wild plants were gathered and during the Late Plains Woodland Tradition and corn was grown, as documented at the Arp Site 39BR101 and 39BR102. The practice of horticulture allowed for the establishment of permanent villages along water sources. Notable Plains Woodland village sites in central South Dakota include the La Roche Site (39ST9); the Arp Site (39BR101 and 39BR102); the Scalp Creek Site (39GR1); and White Swan Mound Site (39CH9).

The Plains Village Tradition (ca. 1,200 to 300 B.P.) is thought to be a Plains variation of the Mississippian custom from the central United States. This cultural pattern appeared in the Mississippi River Valley ca. 1,100 to 1,000 B.P. and consisted of sedentary villages, river bottom agriculture, flat-top burial mounds, triangular projectile points, and advanced ceramic designs and decorations. However, villages were already established in the Central Plains area, horticulture was already underway, mounds were being built, and ceramics were already being produced. Villages during the Plains Village Tradition were permanent and sometimes fortified. During the Late Plains Village Tradition, the Siouan-speaking people from the northern Minnesota area entered Arikara territory in southeastern South Dakota and the cultural tribal boundaries began to change.

The Historic Period

Information pertaining to both of the Proposed Project site alternatives has been compiled in this section to provide a discussion pertaining to the Historic Period of the regional area. Early contact between Europeans and Central Plains tribes ranged from 1540 to 1700 and included:

Francisco Vásquez de Coronado’s contact with the Plains tribes of west Texas and Kansas in 1540-1542

Active French voyageur-traders among the Pawnee before 1700 in the Central Plains

Explorers Pierre Esprit Radisson and Médard Chouart, sieur des Groseilliers’ contact with the Santee Sioux in 1659

Louis Jolliet and Jacques Marquette’s exploration of the Mississippi River in 1673

René-Robert Cavelier, sieur de la Salle’s exploration of the Mississippi River in 1682 with additional explorations past the mouth of the Missouri by 1700

This early contact period coincides with the demographic changes occurring in the Central Plains. When the Europeans first met the tribes in the Central Plains they encountered some who had been in the area for a very long time as well as others who had recently occupied the region. The Historic Period (ca. 300 B.P. to present) is marked by a great deal of cultural change on the Great Plains. The earlier migration of the Sioux people had an effect on the Arikara who had previously occupied the region. The Sioux Tribes were nomadic people who followed the bison, and the Plains were an ideal environment for them. With the influx of European influence and acquisition of horses from the southwestern tribes, the Sioux Tribes were able to cross the Missouri River in 1760 and claim the entire Plains north of the Arkansas River as their hunting grounds.

Greater American presence on the Plains came in the following century. The Lewis and Clark Expedition (1803–1806), headed by Meriwether Lewis and William Clark, was the first American overland expedition to the Pacific coast and back. As directed by President Thomas Jefferson in a letter to Lewis, the object of their mission was to explore the Missouri River, by its course and communication with the waters of the Pacific Ocean and determine whether the Columbia, Oregon, Colorado or any other river would offer the most direct and practicable water communication across the continent for the purposes of commerce.

During the 1800s Americans generally thought that the Great Plains was better off with the Indians and was worth little for agricultural use. When gold was discovered in California in the 1840s, Americans wanted a quicker passage west and it is estimated that 12,000 wagons traveled cross country to Oregon and California from 1834 to 1867. In 1862, President Abraham Lincoln signed the Homestead Act that allotted 160-acre parcels to settlers of undeveloped land outside of the original 13 colonies. This Act became a tool for redistribution of Indian lands and had a great effect on the reservation system on the Plains. Treaties were signed for the establishment of Indian reservations beginning in the late 1850s with Yankton (1858), Lake Traverse (1867), and the Great Sioux Reservation (1868). The Great Sioux Reservation set aside the land in South Dakota west of the Missouri River, which consisted of some 25 million acres. The reservations would later be Crow Creek and Old Winnebago, Cheyenne River, Lower Brulé, Pine Ridge, and Rosebud.

Molly Cresto

Subject: FW: Prairie Winds Appendix

Importance: High

From: Rosebud Sioux Tribe [mailto:rstthpo@yahoo.com]
Sent: Thu 9/3/2009 6:36 AM
To: Mitchell, Trish
Subject: RE: PrairieWinds Project info

Good Morning Trish,
Mary finished the record search for the Winner site.There are no Traditional Cultural Properties recorded in our data base within the proposed project this does not perclude the possibility of a site of heritage importance being located by an archaeologist. This project may proceed as planned. If sites are located by this undertaking please notify my office as soon as possible. Thank you.
Kathe Arcoren

Appendix E

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Appendix E

DEIS Public Outreach

- October 2009 update Mailer
- Notice of Availability
- Local Newspaper Notices and Affidavits of Publication
- Notice of Availability Mailer
- Interagency Meeting Invitation Letters and Recipient List
- Interagency and Hearing Meeting Materials

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Ms. Liana Reilly, NEPA Document Manager
Corporate Services Office
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

Postage

Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

South Dakota PrairieWinds Project Environmental Impact Statement

October 2009 Update

PrairieWinds SD1, Inc., a wholly owned subsidiary of Basin Electric Power Cooperative, proposes to construct the South Dakota PrairieWind Project – a new 151.5-megawatt wind energy facility – at one of two locations in south-central South Dakota. Western Area Power Administration (Western) and Rural Utilities Service (RUS) are preparing an Environmental Impact Statement (EIS) for the South Dakota PrairieWinds Project to analyze the impacts of their respective Federal actions and the proposed project in accordance with the National Environmental Policy Act (NEPA), as amended; U.S. Department of Energy NEPA Implementing Procedures (10 CFR 1021); the Council on Environmental Quality regulations for implementing NEPA (40 CFR 1500–1508); and RUS Environmental Policies and Procedures (7 CFR 1794). The Draft EIS is anticipated to be published and available for review in November 2009. Issues and concerns identified during scoping and addressed in the DEIS include:

- Air Quality
- Alternatives
- Aviation Safety
- Biological Resources
- Cultural Resources
- Cumulative Impacts
- Environmental Justice
- Greenhouse Gases and Climate Change
- NEPA Process
- Project Description
- Section 106 Process
- Visual Resources
- Water Resources
- Wetlands / Riparian Areas

To learn more about the project:

Call the Project Phone Number: (800) 336-7288
Send an e-mail to the Project E-mail: sdprairiewinds@wapa.gov
Visit the Project Website: http://www.wapa.gov/sdprairiewinds.htm

Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

To: [ADDRESS TO BE INSERTED]

If you wish to receive the Draft EIS, please detach along perforated line and send in this request form.

I would like to receive a copy of the South Dakota PrairieWinds Project Draft Environmental Impact Statement

Please check one:

☐ Please send an electronic copy on CD-ROM

☐ Please send a printed copy: about 350 pages including full text and appendices

☐ Please send only the executive summary: about 25 pages including project description, summary of proposed actions and alternatives, scoping comment summary, and impacts summary by alternative

Tell us how to reach you

Please give us your contact information so we can send you the South Dakota PrairieWinds Project Draft EIS and keep you updated about the project. We will not share your contact information with other organizations.

Name/Title: _____

Organization: _____

Mailing address: _____

City, State, Zip: _____

Phone/Fax/E-mail: _____

and local agencies who decide to obtain OCA information must send a written request on their official letterhead to EPA certifying that they are covered persons under Public Law 106–40, and that they will use the information for official use only. EPA will then provide paper copies of OCA data to those agencies as requested. The rule authorizes and encourages state and local agencies to set up reading rooms. The local reading rooms would provide read-only access to OCA information for all the sources in the LEPC's jurisdiction and for any source where the vulnerable zone extends into the LEPC's jurisdiction.

Members of the public requesting to view OCA information at federal reading rooms would be required to sign in and self certify. If asking for OCA information from federal reading rooms for the facilities in the area where they live or work, they would be required to provide proof that they live or work in that area. Members of the public are required to give their names, telephone number, and the names of the facilities for which OCA information is being requested, when they contact the central office to schedule an appointment to view OCA information.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average approximately 2 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: State and local agencies and the public.

Estimated Number of Respondents: 4,155.

Frequency of Response: Annual, On occasion.

Estimated Total Annual Burden Hours: 9,330 hours.

Estimated Total Annual Cost: $322,095, which includes $100 annual O&M cost.

Changes in the Estimates: There is slight decrease in burden and costs from the previous ICR due to updated data on the number of people visiting the reading rooms to obtain OCA data, therefore reducing the burden on state and local agencies to provide the data.

Dated: January 4, 2010.

John Moses,

Director, Collection Strategies Division.

[FR Doc. 2010–729 Filed 1–14–10; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–8987–4]

Environmental Impacts Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–1399 or *http://www.epa.gov/compliance/nepa/*

Weekly Receipt of Environmental Impact Statements

Filed 01/04/2010 Through 01/08/2010 Pursuant to 40 CFR 1506.9

Notice: In accordance with Section 309(a) of the Clean Air Act, EPA is required to make its comments on EISs issued by other Federal agencies public. Historically, EPA has met this mandate by publishing weekly notices of availability of EPA comments, which includes a brief summary of EPA's comment letters, in the **Federal Register**. Since February 2008, EPA has been including its comment letters on EISs on its Web site at: *http://www.epa.gov/compliance/nepa/eisdata.html*. Including the entire EIS comment letters on the Web site satisfies the Section 309(a) requirement to make EPA's comments on EISs available to the public. Accordingly, after March 31, 2010, EPA will discontinue the publication of this notice of availability of EPA comments in the **Federal Register**.

EIS No. 20100000, Draft EIS, DOE, SD, South Dakota Prairie Winds Project, Proposes to Construct, Own, Operate, and Maintain a 151.5 megawatt (MW) Nameplate Capacity Wind-Powered Generation Facility, Aurora, Brule, and Jerauld, Tripp Counties, SD, Comment Period Ends: 03/01/2010, Contact: Liana Reilly 800–336–7288.

EIS No. 20100001, Final EIS, FERC, 00, Ruby Pipeline Project, Proposed Natural Gas Pipeline Facilities, Right-of-Way Grants (and/or Temporary Use or Special Use Permits), WY, UT, NV and OR, Wait Period Ends: 02/16/2010, Contact: Julia Bovey 1–866–208–3372.

EIS No. 20100002, Final EIS, USFS, NV, Middle Kyle Canyon Complex Project, Construction and Operation of a Recreation Complex within the Spring Mountains National Recreation Area, Humboldt-Toiyabe National Forest, Clark County, NV, Wait Period Ends: 02/16/2010, Contact: Hal Peterson 702–839–5572.

EIS No. 20100003, Draft EIS, USAF, ND, Grand Forks Air Force Base Project, Beddown and Flight Operations of Remotely Piloted Aircraft, Base Realignment and Closure, (BRAC), ND, Comment Period Ends: 03/01/2010, Contact: Doug Allbright 618–229–0841.

EIS No. 20100004, Draft EIS, NOAA, 00, Amendment 11 to the Atlantic Mackerel, Squid, and Butterfish (MSB), Fishery Management Plan (FMP), Establish an Atlantic Mackerel Limited Access Program, Implementation, Comment Period Ends: 03/01/2010, Contact: Patricia A. Kurkul 978–281–9250.

Amended Notices

EIS No. 20090368, Draft EIS, NSA, TN, Y–12 National Security Complex Project, to Support the Stockpile Stewardship Program and to Meet the Mission Assigned to Y–12, Oak Ridge, TN, Comment Period Ends: 01/29/2010, Contact: Pam Gorman 865–576–9903.

Revision to FR Notice Published 10/30/2009: Extending Comment Period from 01/04/2010 to 01/29/2010.

EIS No. 20090437, Final EIS, USACE, NC, Western Wake Regional Wastewater Management Facilities, Proposed Construction of Regional Wastewater Pumping, Conveyance, Treatment, and Discharge Facilities to Serve the Towns of Apex, Cary, Holly Springs and Morrisville, Research Triangle Park, Wake County, NC, Wait Period Ends: 02/09/2010, Contact: Henry Wicker 910–251–4930.

Revision to FR Notice Published: 12/18/2009 Extending Comment Period from 01/19/2010 to 02/09/2010.

Dated: January 12, 2010.

Robert W. Hargrove,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2010–755 Filed 1–14–10; 8:45 am]

BILLING CODE 6560–50–P

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Western and RUS issue a Draft Environmental Impact Statement for the Proposed South Dakota PrairieWinds Project public hearings set, comments invited

You are invited to review Western Area Power Administration's (Western) and Rural Utilities Service's (RUS) draft environmental findings on the Proposed South Dakota PrairieWinds Project (Project). We need your comments to ensure we've addressed all relevant issues and alternatives. To help you understand the Proposed Project and the findings from our Draft Environmental Impact Statement (DEIS), Western and RUS have scheduled a public hearing, **February 11, 2010, in Chamberlain, South Dakota**. Meeting facilities are wheelchair accessible. Please contact us at the Project phone number: **(800) 336-7288**, if you need other accommodations to attend the hearing.

Date: February 11, 2010
Open House: 4 to 5 p.m. (CST)
Hearing: 5 to 7 p.m. (CST)
Location: Cozard Memorial Library
110 East Lawler Avenue
Chamberlain, SD 57325
Phone Number: (605) 234-4414

Western and RUS have issued a DEIS for the Proposed Project. The DEIS is available for review at libraries in Chamberlain, Kimball, Plankinton, Wessington Springs, and Winner, South Dakota; and Western's UGP Customer Service Region in Huron, South Dakota; and RUS in Washington D.C. You can also request a copy from Western, from the Project e-mail at: **sdprairiewinds@wapa.gov** or by completing and mailing the attached postcard to us (no postage is required). Comments can be submitted through the Project website, or sent by letter, fax or e-mail and must be received by **March 1, 2010**. Written comments on the DEIS should be addressed to **Ms. Liana Reilly**, at the address listed below.

To learn more about the Proposed Project or share your comments:

- Attend the public hearing
- Comment on the DEIS
- Send an e-mail to the Project E-mail: **sdprairiewinds@wapa.gov**
- Visit our website: **http://www.wapa.gov/transmission/sdprairiewinds.htm**

Send comments to:
Ms. Liana Reilly
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213
Fax: **(720) 962-7263**
E-mail: **sdprairiewinds@wapa.gov**

For more information about the Proposed Project, or if you would like to be included on the project mailing list and/or to receive a copy of the DEIS, please provide your contact information to Ms. Liana Reilly, at the address above. For information on RUS financing please contact Mr. Dennis Rankin, Project Manager, Engineering and Environmental Staff, Rural Utilities Service, Utilities Program, 1400 Independence Ave. SW., Mail Stop 1571, Room 2244, Washington DC 20250-1571; telephone: (202) 720-1953, Fax: (202) 720-0820 or e-mail: dennis.rankin@wdc.usda.gov.

If you wish to receive the DEIS, please detach along perforated line and send in this request form.

Please send me a copy of the South Dakota PrairieWinds Project Draft Environmental Impact Statement

Please check one:

- ☐ Please send an electronic copy on CD-ROM
- ☐ Please send a printed copy: about 450 pages including full text and appendices
- ☐ Please send only the executive summary: about 25 pages including project description, summary of proposed actions and alternatives, scoping comment summary, and impacts summary by alternative

Tell us how to reach you

Please give us your contact information so we can send you the Proposed South Dakota PrairieWinds Project DEIS and keep you updated. We will not share your contact information with other organizations.

Name/Title: _____

Organization: _____

Mailing address: _____

City, State, Zip: _____

Phone/Fax/E-mail: _____

Postage

Western
Area Power
Administration
P.O. Box 281213
Lakewood, CO 80228-8213

Where can I review the DEIS?

Copies of the DEIS are available for review at the following library locations:

Aurora County Library
Plankinton City Library
123 North Main
Plankinton, SD 57368
(605) 942-7600

Brule County Library
Kimball Public Library
140 North Main Street
Kimball, SD 57355
(605) 778-6690

Cozard Memorial Library
Chamberlain
110 East Lawler Avenue
Chamberlain, SD 57325
(605) 234-4414

Jerauld County Library
Wessington Springs
Carnegie Library
109 West Main
Wessington Springs, SD 57382
(605) 539-1803

Tripp County Library
Winner Public Library
425 Monroe Street
Winner, SD 57580
(605) 842-0330

Western Area Power Administration
Upper Great Plains
Customer Service Region
SD Maintenance Office
200 4th Street SW
Huron, SD 57350
(605) 353-2501

Rural Utilities Service
1400 Independence Ave. SW.,
Mail Stop 1571, Room 2244
Washington DC 20250-1571
(202) 720-1953

Please fold in thirds and tape

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IF MAILED
IN THE
UNITED STATES

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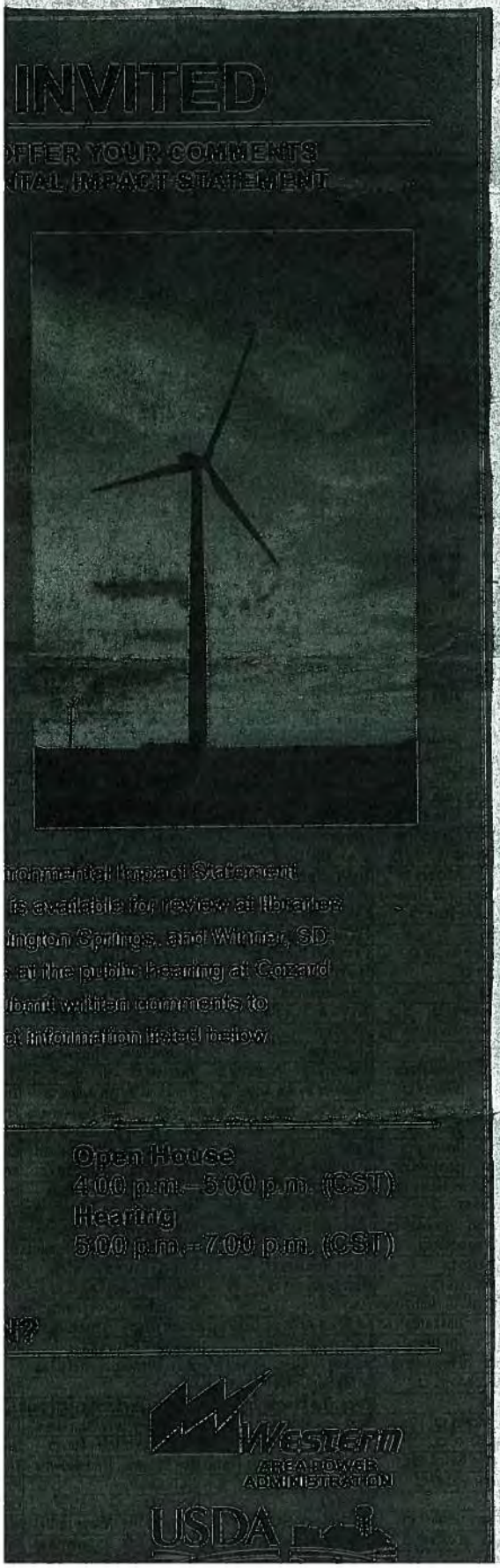
POSTAGE WILL BE PAID BY ADDRESSEE

Ms. Liana Reilly
NEPA Document Manager
Western Area Power Administration
Corporate Services Office, A7400
P.O. Box 281213
Lakewood, Colorado 80228-8213



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF DAVISON)

Penny Hohbach of said county, being, first duly sworn, on oath, says; that he/she is the publisher or an employee of the publisher of The Daily Republic, a daily newspaper, published in the City of Mitchell, in said County of Davison, and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Davison and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the notice, order or advertisement, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 2 issues(s), to wit:

Wednesday, January 27, 2010

Wednesday, February 10, 2010

That the full amount of the fee charged for the publication of the attached public notice insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever, that the fees charged for the publication thereof are: $1000.00

Signed: Penny Hohbach

Subscribed and sworn to before me this 10 day of February

Kathy Hoffman

Notary Public
County of Hanson

My Commission Expires: 10-8-2015

Prepared by: The Daily Republic, P.O. Box 1288, Mitchell S.D. 57301 605-996-5515

YOU ARE INVITED

TO A PUBLIC HEARING TO OFFER YOUR COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

PrairieWinds SD1, Incorporated (PrairieWinds), a wholly owned subsidiary of Basin Electric Power Cooperative (Basin Electric), is proposing to construct a new 151.5-megawatt nameplate capacity wind energy facility at one of two locations in south-central South Dakota (SD), either near the Town of Wessington Springs or near the City of Winner. Basin Electric has requested to interconnect the Proposed Project with the transmission system owned and operated by Western Area Power Administration (Western). Western is considering whether to grant or deny the interconnection request. PrairieWinds has requested financing for the Proposed Project from the Rural Utilities Service (RUS); RUS is considering financing the Proposed Project.

Western and RUS have issued a Draft Environmental Impact Statement (DEIS) for the Proposed Project. The DEIS is available for review at libraries in Chamberlain, Kimball, Plankinton, Wessington Springs, and Winner, SD. You can give your oral or written comments at the public hearing at Cozard Memorial Library in Chamberlain, SD, or submit written comments to Liana Reilly by March 1, 2010, at the contact information listed below.

PLEASE JOIN US

February 11, 2010
Cozard Memorial Library
110 E. Lawler Ave
Chamberlain, SD 57325

Open House
4:00 p.m.–5:00 p.m. (CST)
Hearing
5:00 p.m.–7:00 p.m. (CST)

NEED MORE INFORMATION?

Liana Reilly
Western Area Power Administration
Corporate Services Office
A7400 P.O. Box 281213
Lakewood, Colorado 80228-8213
E-mail: sdprairiewinds@wapa.gov
Phone: 1-800-336-7288
Fax: (720) 962-7263

Western AREA POWER ADMINISTRATION

USDA Rural Development

Or visit the Project Web site at:
www.wapa.gov/transmission/sdprairiewinds.htm

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF DAVISON)

Penny Hohbach of said county, being, first duly sworn, on oath, says; that he/she is the publisher or an employee of the publisher of The Daily Republic, a daily newspaper, published in the City of Mitchell, in said County of Davison, and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Davison and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the notice, order or advertisement, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 2 issues(s), to wit:

Wednesday, January 27, 2010
Wednesday, February 10, 2010

That the full amount of the fee charged for the publication of the attached public notice insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever, that the fees charged for the publication thereof are: $1000.00

Signed: Penny Hohbach

Subscribed and sworn to before me this 10 day of February

Kathy Hoffman

Notary Public
County of Hanson

My Commission Expires: 10.8.2015

Prepared by: The Daily Republic, P.O. Box 1288, Mitchell S.D. 57301 605-996-5515

AFFIDAVIT OF PUBLICATION

State of South Dakota, county of Tripp-ss.

Cheryl Schroeder

of said county being first duly sworn, on oath says that she is the Advertising Manager of

THE WINNER ADVOCATE

a weekly newspaper printed and published at Winner, said county of Tripp, and has full and personal knowledge of all the facts herein stated that said newspaper is a legal newspaper and has a bona fide circulation of a least two hundred copies weekly and has been published within said County for fifty-two successive weeks prior to the publication of the notice herein mentioned, and was printed wholly or in part in a office maintained at said place of publication; that the

31.5" legal display ad @ $6.75 p.c.i.

Public Notice

Basin Electric Power Cooperative

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at least one in each week for 2 weeks, on the day of each week on which said newspaper was regularly published to wit:

1/27/10
2/10/10

That the full amount of the fees for the publication of the annexed notice is $ 425.25

Cheryl Schroeder

Subscribed and sworn to before me this 10th day of February, 2010

Patricia Arvin
Notary Public

County of Tripp, South Dakota

My Commission Expires November 4, 2015

SEAL
Patricia Arvin
Notary Public
SOUTH DAKOTA

YOU ARE INVITED

TO A PUBLIC HEARING TO OFFER YOUR COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

PrairieWinds SD1, Incorporated (PrairieWinds), a wholly owned subsidiary of Basin Electric Power Cooperative (Basin Electric), is proposing to construct a new 151.5-megawatt nameplate capacity wind energy facility at one of two locations in south-central South Dakota (SD), either near the Town of Wessington Springs or near the City of Winner. Basin Electric has requested to interconnect the Proposed Project with the transmission system owned and operated by Western Area Power Administration (Western); Western is considering whether to grant or deny the interconnection request. PrairieWinds has requested financing for the Proposed Project from the Rural Utilities Service (RUS); RUS is considering financing the Proposed Project.

Western and RUS have issued a Draft Environmental Impact Statement (DEIS) for the Proposed Project. The DEIS is available for review at libraries in Chamberlain, Kimball, Plankinton, Wessington Springs, and Winner, SD. You can give your oral or written comments at the public hearing at Cozard Memorial Library in Chamberlain, SD, or submit written comments to Liana Reilly by March 1, 2010, at the contact information listed below.

PLEASE JOIN US

February 11, 2010
Cozard Memorial Library
110 E. Lawler Ave
Chamberlain, SD 57325

Open House
4:00 p.m.–5:00 p.m. (CST)
Hearing
5:00 p.m.–7:00 p.m. (CST)

NEED MORE INFORMATION?

Liana Reilly
Western Area Power Administration
Corporate Services Office
A7400 P.O. Box 281213
Lakewood, Colorado 80228-8213
Email: sdprairiewinds@wapa.gov
Phone: 1-800-336-7288
Fax: (720) 962-7263

Western AREA POWER ADMINISTRATION

USDA Rural Development

Or visit the Project Web site at:
www.wapa.gov/transmission/sdprairiewinds.htm

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

SS

COUNTY OF AURORA)

J.P. Studeny, Jr.

of said County and State, being first duly sworn, on his/her oath says:

THE SOUTH DAKOTA MAIL is a weekly newspaper of general circulation, printed and published in Plankinton, in Aurora County and State of South Dakota by John Paul Studeny, Jr. and Gayle A. Van Genderen and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said county of Aurora in the English language for more than fifty-two successive weeks next prior to the publication of the notice hereinafter mentioned, and has been printed during said period and at the present time, in whole or in part in an office maintained at the said place of publication; and that I, the undersigned, am

Publisher

of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts in this affidavit; that the advertisement headed

You Are Invited

a printed copy of which is hereto attached, was printed and published in the said newspaper for two weeks; that said notice was published in the issues of said newspaper on the dates as follows, to-wit:

The first publication being made on January 28, 2010;

the second publication on February 11, 2010;

the third publication on _____, 20____;

the fourth publication on _____, 20____;

and subsequent publications on _____, 20____;

that $315.00, the full amount of the fee charged for publication of the annexed notice, insures solely to the benefit of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to be any person whomsoever.

subscribed and sworn to before me this 12th day of February, 2010

Pamela M. Vissia

Notary Public, Aurora County

My Commission Expires 9-3-2010

PAMELA M. VISSIA
Aurora County, SD
My Commission Expires September 3, 2010

the Plankinton Board of Education
or the Month of December 2009

CAP. OUT.	SPEC. ED.	BOND RED.	PENSION	FOOD SER.
$19,472.41	$32,420.04	$69,507.12	$22,817.46	$15,597.42
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.... 107.31
.... 80.10
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a Department
.... 440.00
a Department
mentary –
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a Mail
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ding Center
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ncy Fund
e paid
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Department
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State
.... 6.00
Department
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wsletter 44.55
s 162.00
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ll
.... 70.00
ll
.... 78.88
wsletter 44.55
.... 18.20
ate
.... 30.00
ill
e 245.00
EDUCATION
UND

...triple jump/long jump pad.

Superintendent Jones will check with the city on the possibility of getting some asphalt the next time they do to help control costs to help in the decision if this is feasible.

We did not receive funding through the Clean Diesel Grant but will be considered in round three.

Anderson made a motion to renew our property insurance/workman comp/bus insurance package with First National Insurance (Merrill Harris) based upon the recommendation of Business Manager Swanson. Spinar seconded. All aye.

Boisen made a motion to approve the contract to Altman Stindery for Elementary Residency Activities and to teach Art I classes in the high school this semester for $9,000.00 - Half paid by Artists in Schools & Communities Grant and half paid by the district. Anderson seconded. All aye.

Faulhaber made a motion to set the school board election for June 8,2010. Vissia seconded. All aye.

The board tabled the first reading of Policy Book Section D.

Vissia made a motion to hire Kim Beach to teach Driver Education in 2010 at the same rate as last year ($700.00 for classroom time and $100.00 per student for driving time. Boisen seconded. All aye.

There was a board directive to Superintendent Jones to survey area schools in regard to what they charge per student for driver education.

Business Manager Swanson read a letter of resignation from Leanne Payne. Faulhaber made a motion to accept Leanne Payne's resignation at the conclusion of 2009-10 with many thanks for all her years of dedicated service to the district. Haak seconded. All aye.

Spinar made a motion at 7:06 p.m. to go into executive session for personnel. Haak seconded. All aye.

The board came out of executive session at 9:15 p.m.

Faulhaber made a motion to rehire Superintendent Jones (2nd year of his two-year contract); Principal Nussbaum, Business Manager Swanson and Administrative Assistant Guindon with salaries and benefits to be set at a later date. Vissia seconded. All aye.

There was a board directive to Superintendent Jones to advertise the Title I vacancy.

...the South Dakota Mail is more than just an independent, small town, 4th generation family business. It's a family of readers and friends who care about community, their neighbors and the future of this area and South Dakota.

For that, we are most grateful.

Susan and Paul Ducklow,
Taylor and Morgan,
Liz Clites, Ashley,
Tom and Stacy
Schuman,
Cole,
Bob Schuman

YOU ARE INVITED

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Western and RUS have issued a Draft Environmental Impact Statement (DEIS) for the Proposed Project. The DEIS is available for review at libraries in Chamberlain, Kimball, Plankinton, Wessington Springs, and Winner, SD. You can give your oral or written comments at the public hearing at Cozard Memorial Library in Chamberlain, SD, or submit written comments to Liana Reilly by March 1, 2010, at the contact information listed below.

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Western Area Power Administration
Corporate Services Office
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Email: sdprairiewinds@wapa.gov
Phone: 1-800-336-7288
Fax: (720) 962-7263

Western AREA POWER ADMINISTRATION

USDA Rural Development

Or visit the Project Web site at:
www.wapa.gov/transmission/sdprairiewinds.htm

INDIAN COUNTRY
TODAY
The Nations' Leading American Indian News Source

ADVERTISING AFFIDAVIT

Basin Elec Power Co-op 's advertisement was published on the 27th day(s) of January, 2010 in the Indian Country Today Newspaper. A proof of performance is attached to this affidavit.

Indian Country Today Representative

3/5/10
Date

Notary Signature

DANIEL A. STARK
Notary Public, State of New York
Qualified in Oneida County
My Commission Expires 6/5/2010

3059 Seneca Turnpike, Canastota, NY 13032 Sabrina / **Billing Department** Toll-Free: 1-888-327-1013 x3 Fax: 315-829-8393
www.indiancountry.com

Legal

YOU ARE INVITED

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Fax: (720) 962-7263

Western Area Power Administration

USDA Rural Development

Or visit the Project Web site at:
www.wapa.gov/transmission/sdprairiewinds.htm

PUBLIC LEGAL NOTICE

Retraction of the Notice of Availability Environmental Assessment and Draft Finding of No Significant Impact for the Proposed Modernization and Operation of the Sarles Land Port of Entry, Cavalier County, North Dakota

A U.S. DEPARTMENT OF HOMELAND SECURITY (DHS), U.S. CUSTOMS AND BORDER PROTECTION (CBP), OFFICE OF FIELD OPERATIONS (OFO) PROJECT, UTILIZING THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) AND THE NATIONAL HISTORIC PRESERVATION ACT (NHPA) GUIDELINES AND PROCEDURES

U.S. Customs and Border Protection has recalled the Notice of Availability on the Draft Environmental Assessment (EA) for the Proposed Land Port of Entry (LPOE) Modernization and Operation of the Sarles Land Port of Entry in Cavalier County, North Dakota, dated January 13, 2010.

Should you have any questions regarding the status of the Proposed Modernization and Operation of the Sarles Land Port of Entry, please visit the Web site www.Recovery.gov.

Housing

ATTENTION SENIORS HOUSING OPPORTUNITY

Low income senior apartment complex in National City, CA is taking applications for the waiting list for one-bedroom apartments. To qualify, the applicant must be 62 years of age or older (in case of couples, at least one of them must be 62). To receive an application, please, visit or contact Morgan Tower, 1317 O Avenue, National City, CA 91950, phone # (619) 477-4716. Placement on the waiting list will be based on the date and time the fully-completed application is received.

EQUAL HOUSING OPPORTUNITY

Business & Service Directory

PUBLIC LEGAL NOTICE

Notice of Availability Environmental Assessment and Draft Finding of No Significant Impact for the Proposed Modernization and Operation of the Sarles Land Port of Entry, Cavalier County, North Dakota

U.S. DEPARTMENT OF HOMELAND SECURITY (DHS), U.S. CUSTOMS AND BORDER PROTECTION (CBP), OFFICE OF FIELD OPERATIONS (OFO) PROGRAM MANAGEMENT OFFICE (PMO), UTILIZING THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) AND THE NATIONAL HISTORIC PRESERVATION ACT (NHPA) GUIDELINES AND PROCEDURES

U.S. Customs and Border Protection (CBP) announces the availability of, and invites public comment on, the Draft Environmental Assessment (EA) for the Proposed Land Port of Entry (LPOE) Modernization and Operation of the Sarles Land Port of Entry in Cavalier County, North Dakota.

This EA is published in accordance with the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and regulations of the Council on Environmental Quality.

CBP proposes to modernize and operate the LPOE located at the international boundary with Canada on State Highway 20 near Sarles, North Dakota using funding allocated for CBP-owned land port facilities appropriated in the American Recovery and Reinvestment Act of 2009 (ARRA). The proposed modernization activities will help CBP meet its border security mission and facilitate legitimate trade and travel, while encouraging a boost in national and local economies.

LPOE improvements would enhance site configuration and provide infrastructure that is adaptable to handle evolving inspection technologies, while maximizing officer safety and effectiveness.

For a 30-day period from January 27, 2010 to February 26, 2010 the Draft EA and Draft Finding of No Significant Impact (FONSI) will be available for public review and comment at the Walhalla Public Library, 1010 Central Avenue, Walhalla, ND, 58282; Cavalier County Library, 600 5th Avenue, Langdon, ND, 58249; Grand Forks City, 2110 Library Circle, Grand Forks, ND, 58201; Montana State Library, 1515 East 6th Avenue, Helena, MT 59620-1800, and, Bottineau County Public Library, 314 5th Street West, Bottineau, ND, 58318; and, on the Internet at http://www.NorthernBorderNEPA.com.

Comments should be submitted to Northern Border, PO Box 6760, Chesterfield, MO 63006-6760 or sent via e-mail to Comments@northernbordernepa.com by February 26, 2010.

Request For Proposals

Puyallup Tribal Housing Authority

"A Drug & Alcohol Free Housing Program"

REQUEST FOR PROPOSALS

HUD ENVIRONMENTAL RELEASE DOCUMENTATION

Puyallup Tribal Housing Authority seeks requests for proposals from consultants for HUD ENVIRONMENTAL RELEASE DOCUMENTATION in connection with HUD NAHASDA funding allocations.

The project scope of work shall include the following:

- Evaluation of proposed sites for construction of affordable housing units.
- Compilation of all documentation required for environmental assessments in an attempt to obtain a finding of no significant impact on the sites. Items including but not limited to:
  - Historic Properties
  - Floodplain Management
  - Wetlands Protection
  - Coastal Zone
  - Sole Source Aquifers
  - Endangered Species
  - Wild and Scenic Rivers
  - Air Quality
  - Farmlands Protection
  - Noise Abatement and Control
  - Explosive and Flammable Operations
  - Toxic Chemical and Radioactive Materials
  - Airport and Runway Clear Zones and Accident Potential Zones
  - Environmental Justice
- Consultant will have availability of other tribal program agencies as necessary.
- Publication of Finding of No Significant Impact
- Preparation and submission of Notice of Intent to Request Release of Funds to HUD

Proposal shall include scope of work, proposed timeframe and compensation. Proposals will be evaluated by Puyallup Tribal Housing Board of Commissioners. Selection is subject to Indian preference.

Please submit proposals to the attention of:
Mr. Gregory Combs
Puyallup Tribal Housing Authority
2808 E. Portland Ave, Suite 200
Tacoma, WA 98404

Proposals may be submitted via mail, email and fax.

For complete proposal information, contact Kim Bautista at (253) 680-5882 or email kbautista@puyalluptribe.com

THE OWENS VALLEY CAREER DEVELOPMENT Center is seeking bids for RFP 09-10-103:

To provide one 48 by 60 foot office modular unit under Lease/rental agreement for a term not less than three years to be delivered, setup and utilized for office space in Big Sandy (Auberry), California. This project will not exceed $180,000.00 for a three year term including set up and take down. This project will be funded entirely with Government Grant.

Bids will be received by OVCDC until 5:00 pm, local time, January 30, 2010 at Office of Purchasing/Contracts Administrator 2574 Diaz Lane (93514) or P.O. Box 847 (93515), Bishop, California. This Request for Proposals will remain open until awarded. To obtain a bid packet please visit ovcdc.com or contact the Purchasing/Contracts Administrator by telephone at 760-873-5107 ext 274 or 275 or email contracts@ovcdc.com

AUDIT BIDS SOUGHT

The Cheyenne River Housing Authority (CRHA), located in Eagle Butte, South Dakota, is seeking Bids for a complete A-133 audit for the 2009 FY. For more information contact Jackie Longbrake, Finance Director, at (605) 964-4265. Bids may be sent to P.O. Box 480, Eagle Butte, SD 57625. Please denote "Audit Bid" on envelope. Bids will be accepted until February 1, 2010, 5:00 pm.

Request for proposals: Single Annual Audit FY ended 9/30/09
Niwhongwh xw Enacwh Stop The Violence Coalition

Niwhongwh xw Enacwh Stop The Violence Coalition, Inc. is requesting written proposals to provide an annual audit. The audit will include one year for fiscal year 10/01/08 to 9/30/09.

Closing date for proposal must be submitted by January 31, 2010 by 5:00pm.

Proposals will be accepted from Indian as well as non-Indian owned Certified Public Accountant wishing to submit a proposal.

For the complete Request for Proposal and requirements, please contact Sherry O'Rourke, 530-625-1662 ext #24, or write to P.O. Box 309, Hoopa, CA 95546, or sherryorourke@yahoo.com by 5:00pm, January 31, 2010.

January 13, 2010

Gail Arnott
Wessington Springs Area Development Corporation
P.O. Box 132
Wessington Springs, SD 57382

Dear Gail Arnott:

The purpose of this letter is to inform you of the availability of the Proposed South Dakota PrairieWinds Project (Proposed Project) Draft Environmental Impact Statement (DEIS). Western Area Power Administration (Western) and Rural Utilities Service (RUS) have prepared the DEIS to address their respective Federal actions on the Proposed Project. We invite you to review the draft environmental findings, and we need your comments to ensure we have addressed the relevant issues and alternatives. This letter also serves as an invitation for your agency to participate in our interagency meeting on February 11, 2010.

PrairieWinds SD1, Incorporated (PrairieWinds), a wholly owned subsidiary of Basin Electric Power Cooperative (Basin Electric), is proposing to construct a new 151.5-megawatt nameplate capacity wind energy facility at one of two locations in south-central South Dakota, either near the Town of Wessington Springs or near the City of Winner. Basin Electric has requested to interconnect the Proposed Project with the transmission system owned and operated by Western; Western is considering whether to grant or deny the interconnection request. PrairieWinds has requested financing for the Proposed Project from RUS; RUS is considering financing the Proposed Project. PrairieWinds and Basin Electric are collectively termed the "Applicants".

A copy of the DEIS for the Proposed Project has been sent to you under separate cover. If you have not received a copy, please contact **Ms. Liana Reilly** (see below)**.** Comments can be submitted through the Project website, or sent by letter, fax or e-mail and must be received by **March 1, 2010**.

Written comments on the scope of the DEIS should be addressed to **Ms. Liana Reilly**:

Ms. Liana Reilly
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213
Fax: (720) 962-7263
E-mail: sdprairiewinds@wapa.gov
Website: http://www.wapa.gov/transmission/sdprairiewinds.htm

For information on RUS financing, please contact:

Mr. Dennis Rankin
Rural Utilities Service – Utilities Program
1400 Independence Avenue SW, Mail Stop 1571, Room 2244
Washington D.C. 20250-1571
Telephone: (202) 720-1953
Fax: (202) 720-0820
E-mail: dennis.rankin@wdc.usda.gov

Western and RUS invite you to attend an interagency meeting on February 11, 2010, to provide you input on the Proposed Project DEIS. During the meeting, we would like to discuss the project component details and obtain input on the draft environmental findings. The interagency meeting will be held at:

Rawlins Municipal Library
1000 East Church Street
Pierre, SD 57501
(605) 773-7421
Thursday, February 11, 2010
10 a.m. to 12 p.m. CST

Western and RUS have also scheduled an open house and public hearing to ensure that interested members of the public, potentially affected landowners and lessees, and Federal, state, and local agencies, and tribal representatives have an opportunity to provide input on the draft findings and alternatives considered in the DEIS. The open house and public hearing are scheduled for:

Cozard Memorial Library
110 E Lawler Ave
Chamberlain, SD 57325-1399
(605) 234-4414
Thursday, February 11, 2010
Open House: 4 p.m. to 5 p.m. CST
Hearing: 5 p.m. to 7 p.m. CST

Western, RUS, and the Applicants' representatives will be available at the interagency meeting and public open house for one-on-one discussions, to provide information about the Proposed Project, answer questions, and take verbal and written comments from interested parties. The meeting facilities are wheelchair accessible. Please contact **Ms. Liana Reilly** at **(800) 336-7288** if you need other accommodations to attend.

The Proposed Project would involve the installation and operation of a 151.5- MW wind-powered energy generation facility that would feature 101 wind turbine generators. Each turbine would have a hub height of 262 feet and a rotor diameter of 252 feet. The total height of each wind turbine would be 389 feet with a blade in the vertical position. The towers would be constructed of tubular steel, approximately 15 feet in diameter at the base, with internal joint flanges. The color of the towers and rotors would be standard white or off-white. During construction, a work/staging area at each turbine would include the crane pad and rotor assembly area, temporarily disturbing an area of approximately 500 feet by 500 feet, and permanently disturbing a 25-foot radius around each turbine. Ten additional turbine locations were identified and analyzed in the DEIS. These turbines may be utilized as contingent turbine locations for the Proposed Project if specific turbine locations are eliminated as a result of additional resource surveys and engineering siting, or they may be installed within the selected site at a later date, pending future load, transmission availability, and renewable production standard requirements.

Each wind turbine would be connected by a service road for access and a 34.5-kilovolt (kV) underground electrical collection system that would ultimately route the power from each turbine to a collector substation, where voltage would be increased for interconnection to Western's transmission system. Approximately 30 to 40 miles of new access roads would be built to facilitate both constructing and maintaining the turbines. Approximately 25 to 35 miles of existing roads would be used and, where appropriate, improved. The underground collector system trench would be approximately 60 miles long. The communication system would be located within the same trenches.

Two sites for the wind-powered generation facility are considered in the DEIS. One site is located on about 37,000 acres and is approximately 15 miles north of White Lake, South Dakota, within Brule, Aurora, and Jerauld counties. The other alternative site would be located within an area about 83,000 acres, and is about eight miles south of Winner, South Dakota, and is entirely within Tripp County.

The site that is approximately 37,000 acres near White Lake, South Dakota, would require one 34.5-kV to 230-kV collector substation as well as a 230-kV transmission line to interconnect to a new 230-kV interconnection point at Western's existing Wessington Springs Substation. The Wessington Springs Substation is located approximately nine miles from the proposed collector

substation. Regardless of route, the transmission line length would be approximately 11 miles. The proposed transmission line would be built using steel single-pole structures. The structures would be between 85 and 95 feet high with a span of about 800 feet.

The alternative site, approximately 83,000 acres near Winner, South Dakota, would require one 34.5-kV to 115-kV collector substation as well as a 115-kV transmission line to interconnect to a new 115-kV interconnection point at Western's existing Winner Substation. The Winner Substation is approximately 9 miles from the proposed collector substation. Depending on route, the proposed transmission line would be approximately 10 to 11 miles long. Other facilities necessary for this site would be similar to those described for the site above.

The no action alternative has also been considered.

We want to ensure that any important environmental concerns and natural resources and/or places of interest for your Agency within the project area have been considered and addressed in the DEIS. We appreciate receiving any comments that you have and we look forward to seeing you at the interagency meeting and/or public hearing.

Sincerely,

Nicholas J Stas

Nick Stas
Environmental Manager
Upper Great Plains Region
Western Area Power Administration

Agencies, Tribes, and Individuals who received the February 11, 2010, meeting invitation

Aurora County Weed Supervisor
Basin Electric Power Cooperative
Black Hills National Forest
Brule County Weed Supervisor and Highway
Bureau of Indian Affairs
Cheyenne River Sioux Tribe
County Courthouse
Crow Creek Sioux Tribe
Department of Energy
Ducks Unlimited
Farm Service Agency
Federal Emergency Management Agency
Federal Highway Administration
Flandreau Santee Sioux Executive Committee
Fort Peck Sioux and Assiniboine Tribe
Ft. Pierre National Grassland
Gregory County Board of Commissioners
Intertribal COUP
Jerauld County Weed Supervisor
Lower Brule Sioux Tribe
Lyman County
National Park Service
Natural Resources Conservation Service
Nebraska National Forest Service
Nebraska Public Power District
Northern Cheyenne
Oglala Sioux Tribe
Plankinton City Hall
Rep for SD State Representative Stephanie Herseth Sandlin
Rosebud Sioux Tribe of Indians
Santee Sioux Tribe of Nebraska
Sierra Club
Sisseton-Wahpeton Oyate
South Dakota Aeronautics Commission
South Dakota Chapter Sierra Club
South Dakota Department of Transportation
South Dakota Dept of Agriculture
South Dakota Dept of Environment and Natural Resources

South Dakota Dept of Health
South Dakota Forest Service
South Dakota Game Fish & Parks
South Dakota Governor
South Dakota Highway Patrol
South Dakota Indian Affairs Commission
South Dakota Office of School & Public Lands
South Dakota Public Utilities Commission
South Dakota Senator
South Dakota State Historical Society
South Dakota State Land Dept
South Dakota State Representative
South Dakota Transmission Authority
Spirit Lake Tribal Council
Standing Rock Sioux Tribe
State Historic Preservation Office
The Nature Conservancy
Three Affiliated Tribes Business Council
Tribal Historic Preservation Officers
Tripp County Weed Supervisor
Turtle Mountain Band of Chippewa
U.S. Army Core of Engineers
U.S. Dept of Agriculture
Wessington Springs Area Development Corporation
U.S. Environmental Protection Agency
U.S. Fish & Wildlife Service
U.S. Geological Survey
Upper Sioux Indian Community
Wahpetkute Band of the Dakota
Yankton Sioux Tribe

South Dakota PrairieWinds Project
Draft Environmental Impact Statement (DEIS)

Thank you for your interest in the proposed South Dakota PrairieWinds Project (Project). Please complete the appropriate sections of this form to be included on the Project mailing list and/or to provide comments. Written comments can be submitted at the Public Hearing and Open House Meeting, faxed to (720) 962-7263, mailed to the address on the back of this form or sent to the **Project Email Address: sdprairiewinds@wapa.gov.** Comments must be received by **March 1, 2010**. For more information about the Project, please go to the **Project Website: http://www.wapa.gov/transmission/sdprairiewinds.htm.**

- ☐ I would like to be kept informed of the ongoing progress of this Project. Please include my name on the mailing list.
- ☐ I prefer electronic/email communication.
- ☐ I prefer paper mailings.

Please Print Contact Info Below

Name:	Organization:
E-mail address:	Daytime Phone No. (*optional):*
Street Address:	City / State / Zip Code:

Please indicate any questions, comments or concerns you have about the Project in the comment section below (continue on separate sheet if necessary).

Thank you for your time and interest in the South Dakota PrairieWinds Project.

Please fold in thirds and staple

Affix postage here

Ms. Liana Reilly
Western Area Power Administration
Corporate Services Office, A7400
P.O. Box 281213
Lakewood, Colorado 80228-8213

Welcome to:

South Dakota PrairieWinds Project
Draft Environmental Impact Statement

Interagency Meeting

Welcome to:

South Dakota PrairieWinds Project Draft Environmental Impact Statement

Open House and Public Hearing

USDA Rural Development

BASIN ELECTRIC POWER COOPERATIVE
A Touchstone Energy® Cooperative

PRAIRIEWINDS®
ENERGY IN MOTION

Western AREA POWER ADMINISTRATION

Western's Role and Need for Agency Action

Who is Western?

- Agency within the USDOE
- Owns, operates and maintains transmission lines including lines near the proposed PrairieWinds project
- Markets federal hydroelectric power including power from power plants on the Missouri River

Why is Western involved?

- Evaluate interconnection request per its generator interconnection procedures
- Evaluate involvement
- Co-lead for NEPA process

USDA Rural Development | BASIN ELECTRIC POWER COOPERATIVE | PRAIRIEWINDS ENERGY IN MOTION | Western AREA POWER ADMINISTRATION

RUS's Role and Need for Agency Action

Who is RUS?

- Formerly the Rural Electrification Administration
- Agency within the USDA
- Delivers USDA's Rural Development Utilities Programs
- Makes loans/loan guarantees for electric distribution, transmission and generation facilities, telecommunication facilities and water and waste water facilities

Why is RUS involved?

- Evaluate financing request
- Evaluate engineering and technical aspects of the project
- Co-lead for NEPA process

USFWS Role as a Cooperating Agency

Who is USFWS?

- Federal Agency that works to conserve, protect and enhance fish, wildlife and plants and their habitats.
- They conserve wetlands, migratory birds and Federally-listed threatened/endangered wildlife by administering the Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act of 1940 and the ESA.

Why is USFWS involved?

- USFWS will review the proposed wind turbine sites to identify and offset impacts to USFWS interests and trust resources throughout the project area.
- Cooperating agency for the NEPA process

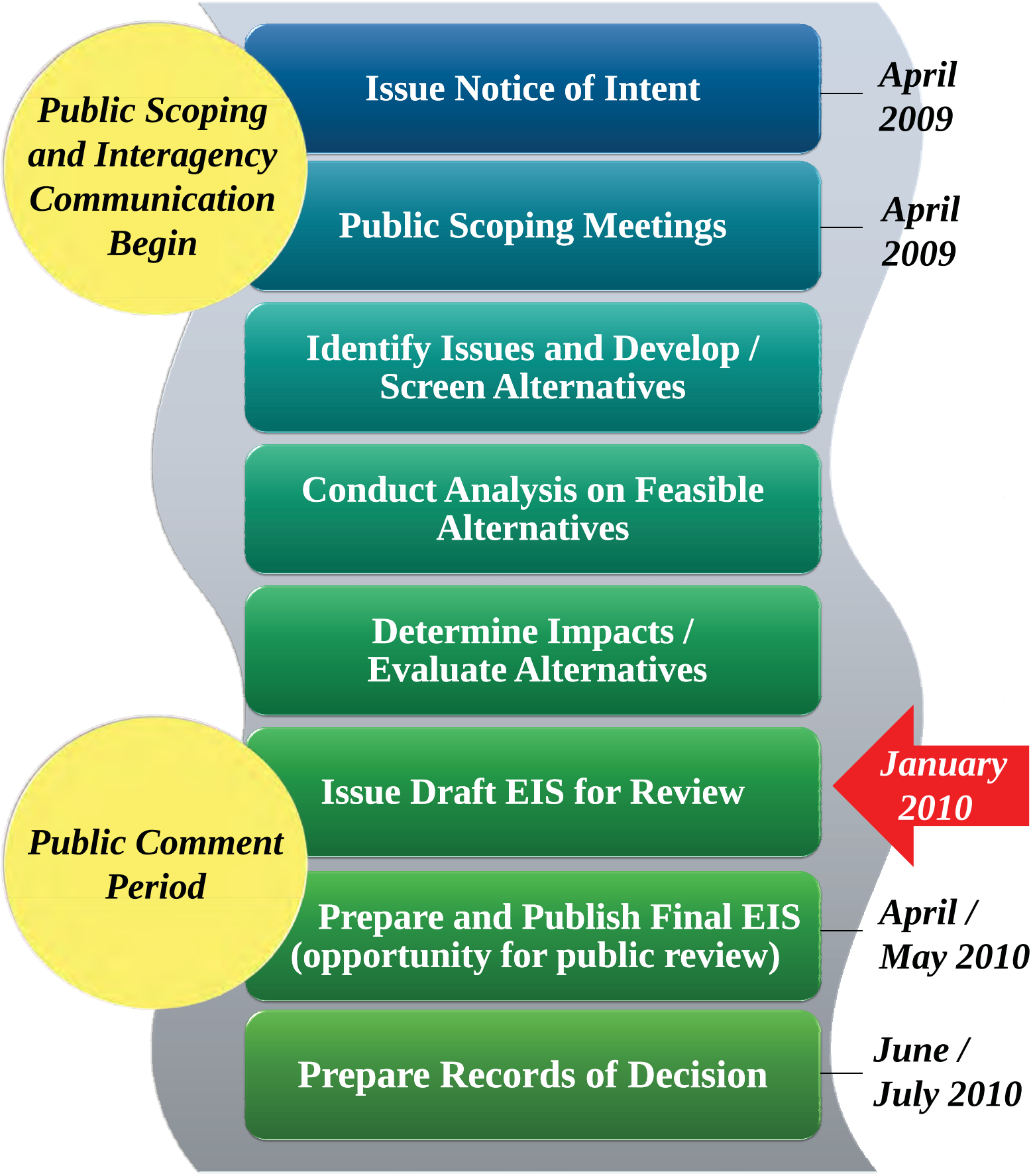
Basin Electric's Project Objectives

Renewable Energy Goals

- **Meet current incentives/regulations that encourage or require power from renewable or low environmental impact resources**
- **Conform with proposals in Congress for national Renewable Portfolio Standards (RPS)**
- **Basin Electric needs additional renewable energy capacity to serve forecasted growth demands and meet state-mandated RPS**
  - **A 150 MW wind project was determined to be the best alternative to satisfy these requirements**
  - **Applicant – PrairieWinds SD1, Incorporated, a wholly owned subsidiary of Basin Electric**

USDA Rural Development | BASIN ELECTRIC POWER COOPERATIVE | PRAIRIEWINDS ENERGY IN MOTION | Western AREA POWER ADMINISTRATION

ENVIRONMENTAL IMPACT STATEMENT PROCESS



USDA Rural Development

BASIN ELECTRIC POWER COOPERATIVE

PRAIRIE WINDS ENERGY IN MOTION

Western AREA POWER ADMINISTRATION

Initial Construction Step: Complete Foundation

Construction of Turbines

Tower Section Delivery

Setting the Base

Nacelle (includes Generating Components) and Turbine Module

Blade Installation

Completed Turbines

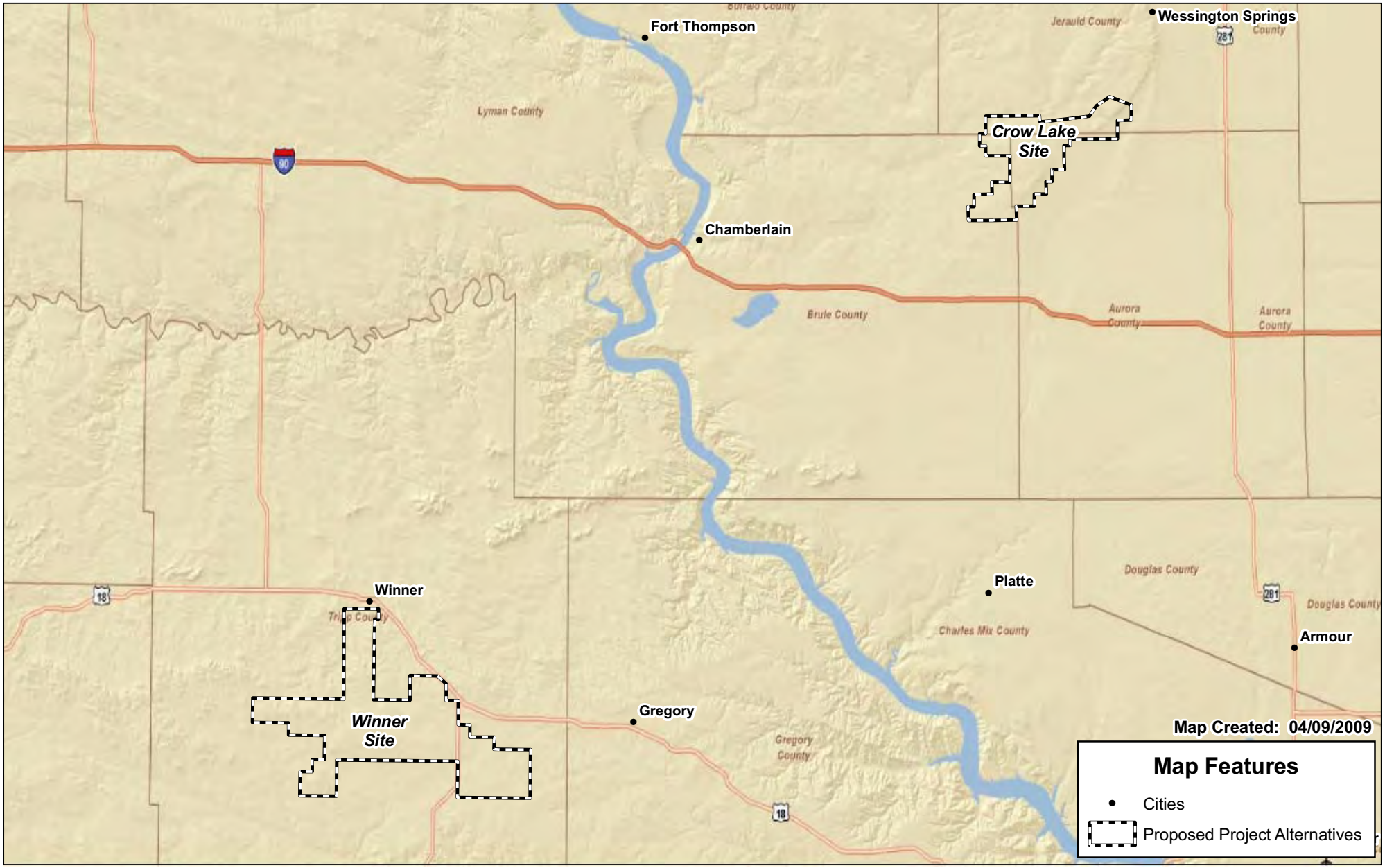

Fort Thompson
Wessington Springs
Jerauld County
Lyman County
Crow Lake Site
Chamberlain
Brule County
Aurora County
Aurora County
Douglas County
Douglas County
Platte
Charles Mix County
Armour
Winner
Winner Site
Gregory
Gregory County
Map Created: 04/09/2009
Map Features
Cities
Proposed Project Alternatives

Table 2.4 Estimated Surface Disturbance Areas – Crow Lake and Winner Alternatives

Disturbance Type		Crow Lake Alternative Temporary (acres)	Crow Lake Alternative Permanent (acres)	Winner Alternative Temporary (acres)	Winner Alternative Permanent (acres)
Wind Turbine Generator Assembly Area/Pads		637	4.9	637	5.0
Crane Walks		282	N/A	530	N/A
Electrical Collections Lines (Underground)		105	N/A	198	N/A
Electrical Transmission Lines (Overhead)	Alternative 1	56*	0.13	42	0.12
	Alternative 2	53	0.13	56	0.18
	Alternative 3	55	0.13	NA	NA
Access Roads		255	126	1,710	254
Collection Substation		10	1.8	10	1.8
O &M Building		20	0.15	20	0.15
Temporary Lay Down Area		40		40	
Total Project Impacts (Max Preferred)		1,405	133	3,187	261
Total Alternative Area (acres within boundary)		37,000		83,000	

Note: Quantified impacts include the 101 turbine locations required for the Proposed Project plus the ten additional turbine locations that may be utilized as contingent turbine locations for the Proposed Project if specific turbine locations are eliminated as a result of additional resource surveys and engineering siting; or they may be installed within the selected site at a later date, pending future load, transmission availability, and renewable production standard requirements. This approach is conservative because it identifies a greater amount of disturbance than what would be required for the Proposed Project.

* Due to engineering considerations, the overhead transmission line location includes area outside of the Crow Lake Alternative boundary; this boundary will be revised to include the transmission line route in the FEIS.

Appendix F

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Appendix F

Comment and Response

- Comment and Response Correlation
- Comment Tracking Table
- Comment Package (Comments received as of March 18, 2010)
- Additional Comments Received (After March 18, 2010)

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Comment and Response Correlation

Appendix F contains the South Dakota PrairieWinds Project Draft Environmental Impact Statement (DEIS) comment and response tracking table, as well as a copy of the comments received on the DEIS. The comment and response tracking table is presented first to make responses to specific comments easier to find. Columns within the table include: comment number, commenter, comment summary, and response/treatment. The following is a description of each column.

Comment number: Each comment document was assigned a reference number. Then, the individual comments within the document were assigned a secondary reference number. For example, the comment document received from the National Park Service was assigned as "Comment Reference Document 5" and five comments were identified within this document; therefore, the comment reference numbers for those comments are 5.1, 5.2, 5.3, 5.4, and 5.5.

Commenter: Name of organization or individual who provided comment.

Comment category: The topic (*e.g.*, the NEPA process, the affected environment section, air quality impacts, *etc*.) to which a comment is addressed.

Response/treatment: Substantive, factual and editorial comments were incorporated and addressed in the EIS (location of revision is provided in the table). Other comments not affecting the substance of the document have been noted and included in the Administrative Record (these comments are identified as "Noted" in the table); for some of these comments, additional information is provided to respond to issues or concerns in the comment.

Following the table is a compilation of the comments received as of March 18, 2010 on the DEIS. The comment documents are grouped by cooperating agency, Federal agency, State of South Dakota agency, Native American Tribes, local agencies, and public. Within the Federal agency, State of South Dakota agency, and Native American Tribes sections, the comment documents are listed in alphabetical order by agency or Native American Tribe name. Within the public section, the transcripts from the public hearings are listed first, followed by comments received via fax, mail, or emails listed in alphabetical order by last name of the commenter. To protect the privacy of the individuals, contact information has been obscured on comments received by the public. As identified above, each comment document (or public hearing comment) was assigned a reference number. Then, the individual comments were assigned a secondary reference number. The comment reference numbers are identified in the comment reference documents in the comment packet, and comment and response tracking table. Comments received after the comment summary package was put together are included at the end of the appendix.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
Cooperating Agency			
1.1	USFWS	USFWS information	Noted.
1.2	USFWS	Federal wildlife laws	Noted.
1.3	USFWS	Protocols and Avian and Bat Protection Plan (ABPP)	Noted. Survey protocols for pre-construction surveys were developed in coordination with USFWS and SDGFP and surveys were completed for avian and bat species in 2009 (WEST 2010a and 2010b). A project-specific draft Operations and Monitoring Plan (OMP) is currently being developed and will be finalized prior to construction, including survey protocols. Post-construction survey protocols (including the Whooping Crane Monitoring Plan) are currently being developed and will be provided to USFWS for review. Additional BMPs and APMs detailing certain protocols are provided in Chapter 2, Table 2.2 and 2.3 and have been updated to provide more specific details. An ABPP is also currently being developed per the Avian Protection Plan (APP) Guidelines (APLIC and USFWS 2005). The ABPP is a corporate level document of the Applicant that is not specific to the proposed SDPW project and may not be completed prior to the issuance of the FEIS.
1.4	USFWS	Distribution of protocols and ABPP	Noted. Protocols and plans referenced in the DEIS are in various stages of completion. USFWS will be provided these and asked to comment; however, this may not occur before the FEIS is published (*e.g.*, ABPP).
1.5	USFWS	Federal wildlife statutes and regulations	See FEIS Section 3.4.1
1.6	USFWS	Interpretation of Federal wildlife statutes, regulations and potential impacts	Noted. Interpretation of potential effects in relation to the laws has been reviewed to ensure consistency. See FEIS Section 4.4.
1.7	USFWS	MBTA, ESA and BGEPA	See Table S-2
1.8	USFWS	Wildlife laws and policies applicable to the wind facility	See FEIS Sections 3.4.1 and 4.4.
1.9	USFWS	Western and RUS consultation with USFWS and MOU	Noted. The USFWS was provided the opportunity to review the document before it was finalized.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
1.10	USFWS	BMPs and AMPs	EIS text in Table 2.3 was updated to clarify these commitments. Additionally, an OMP is being developed and will be provided to the USFWS for review and approval, and additional habitat offsets for whooping crane and grassland birds have been discussed with the USFWS and committed to by the Applicant.
1.11	USFWS	ABPP	Development of the ABPP is ongoing and adheres to the APP Guidelines that were developed, in part, by the USFWS. Adaptive management for wildlife species will be fully described in the OMP for the wind facility and will be provided to USFWS for review.
1.12	USFWS	Habitat (including wetland) mitigation plan	The habitat mitigation plan for habitat offsets was discussed with the USFWS on April 6, 2010, and is currently being developed. It will be finalized prior to construction.
1.13	USFWS	Pre-construction protocol for coordinating with land managers	The established protocol for coordinating with USFWS land managers includes weekly project teleconferences, project and interagency meetings, field visits, and other meetings as necessary.
1.14	USFWS	ABPP	The ABPP is not specific to this project. The OMP, which will include construction requirements, post-construction avian and bat survey and reporting requirements is being completed and a draft will be provided to the USFWS prior to the release of the FEIS.
1.15	USFWS	Plan for measures to conserve Federally listed species	Noted. The BA for the project is currently being reviewed by the USFWS and includes measures to conserve Federally listed species.
1.16	USFWS	Plan for post-construction monitoring and adaptive management	Noted. The OMP is being developed and will include a plan for post-construction monitoring and adaptive management.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
1.17	USFWS	Thresholds of significance and significance criteria	Noted. The use of thresholds of significance is common NEPA practice used by numerous Federal agencies, and all potential effects related to the project have been analyzed in this FEIS. Significance criteria were developed based on scientific information, statute, or in response to public concern. The criteria used for biological resources are described in Section 4.4.2. BMPs, APMs (including pre-construction surveys), the OMP(including post-construction surveys, monitoring, and reporting requirements), and habitat offsets have been included as part of the project description or as additional commitments in order to reduce impacts on given species to a less than significant level. Additionally, statute definitions have been corrected and analyzed in impact determinations. See FEIS Section 4.4.
1.18	USFWS	Thresholds of significance, significance criteria and MBTA and BGEPA	Noted. FEIS Section 3.4.1.1 has been updated to include the more detailed descriptions of the BGEPA and MBTA provided by USFWS.
1.19	USFWS	Cumulative impacts	Noted. The process for determining which "past and present actions" and "reasonably foreseeable activities" were included in the cumulative impacts analysis described in Chapter 5.. New projects were added to this analysis and the cumulative impacts on have been reevaluated. Those "potential" projects that were deemed "reasonably certain to occur" were included in the analysis. We have also updated Table 5.1 and added Figure 5.2 to include the existing, in construction and reasonably foreseeable projects that are being carried forward in the analysis.
1.20	USFWS	Cumulative impacts and the Map from the South Dakota Office of Economic Development with proposed projects	The Titan project and many others included on the South Dakota Economic Development map [Attachment 3] provided by USFWS are not "reasonably foreseeable actions" as defined by the process in FEIS Section 5.3. These criteria were applied to all of these projects, and those projects that meet the criteria were carried forward for analysis.
1.21	USFWS	Cumulative impacts	Measures to avoid or compensate for incremental additions to cumulative impacts are identified in Chapter 5 where it was determined that incremental impacts may occur.
1.22	USFWS	Contact information	Noted.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
1.23	USFWS	Consultation and coordination	Noted. The agencies (including USFWS) and project team have a current coordination protocol in place including ,site visits, interagency meetings and weekly project teleconferences. USFWS is also on the email list, was involved in survey protocol development, and reviewed the preliminary DEIS. This coordination will continue through the EIS process. A primary contact for coordination was requested.
1.24	USFWS	Turbine locations and wetland and grassland easements	Noted. Coordination will continue. A primary contact for coordination was requested.
1.25	USFWS	Turbine locations and wetland and grassland easements	Noted. Coordination between the USFWS and Applicant should continue. The Applicant for the SDPW Project is not the Applicant for the Wind Partners proposed development although Basin Electric will operate and maintain the seven additional turbines and is willing to work with USFWS.
1.26	USFWS	Transmission line locations and wetland and grassland easements	Noted. Coordination will continue. See FEIS Section 4.4
1.27	USFWS	Power line marking	The EIS text has been updated (and explains that the entire length of new transmission line would be marked; therefore, no surveys will be needed).
1.28	USFWS	Regulatory framework	Noted. USFWS will have another opportunity to review the FEIS.
1.29	USFWS	ESA	See FEIS Section 4.3.1.
1.30	USFWS	MBTA	See FEIS Section 4.3.1.
1.31	USFWS	BGEPA	See FEIS Section 4.3.1.
1.32	USFWS	National Wildlife Refuge System Improvement Act	See FEIS Section 4.3.1.
1.33	USFWS	Whooping crane migration	Figure 3.4-5 was added in FEIS Section 3.4.
1.34	USFWS	Whooping crane migration	See FEIS Table 3.4-9 and Section 3.4.5.
1.35	USFWS	WEST surveys	This statement was clarified with text describing the purpose of the avian surveys, See FEIS Section 3.4.
1.36	USFWS	Native prairie and habitat fragmentation	FEIS Section 4.4.3 was updated to include more detailed fragmentation discussion. Based on the low-level of impact, additional mitigation is not recommended.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
1.37	USFWS	APM/BMP	FEIS text for BMPs and APMs has been updated to include more detail. The OMP that is being drafted will include more detail defining the commitments of the Agencies and Applicants. This plan will be provided to the USFWS for review and comment. A separate appendix to the EIS is not necessary as references to these plans are included in Table 2.3.
1.38	USFWS	APM/BMP - Grassland Easements	Noted. Additional text has been included in the APM (See FEIS Table 2.3) stating that these impacts would not occur on USFWS grassland easements.
1.39	USFWS	Migratory bird breeding season	The APM (See FEIS Table 2.3) describes the protocol for surveys; it was updated to include specific dates and explain that construction would occur outside of this window where feasible.
1.40	USFWS	Red and white lights for turbine lighting	Noted. FAA would determine lighting specifics, including color, and the Agencies and Basin Electric would comply with FAA's determination.
1.41	USFWS	Executive Order 13186	See FEIS Chapter 4
1.42	USFWS	BMPs and APMs	The term ABPP was incorrectly used in the DEIS. FEIS Table 2.3 has been changed to "OMP" to refer to the plan that is being developed using the best available published information. It will include project-specific construction requirements and post-construction monitoring and reporting requirements. The OMP is required for the Applicant to construct and operate the Proposed Project. The Applicant is also preparing an ABPP for its corporate policy. The ABPP is not a public document and may not be completed prior to the FEIS. The Applicant will also adhere to commitments in the BA.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
1.43	USFWS	Impacts to bird species	Noted. The conclusions that impacts to bird species would be less than significant because the wind facility would not affect the biological viability of a local, regional, or national population of bird species are based on a number of factors, including the potential for collision mortality based on survey data (*e.g.*, raptor use is low), the small amount of grassland habitat loss compared to the project area (0.4%), the relatively small scale of fragmentation that would be caused by the project, avoidance impacts on a relatively small proportion of available grassland habitats, and the relatively low mortality rate expected. EIS text in FEIS Section 4.4 was updated to include a more detailed impact analysis and provides rough estimates for expected avian mortalities based on extremely limited data. Because these impacts are difficult to quantify, the OMP will be implemented and will provide additional data relating to avian impacts.
1.44	USFWS	BMPs and APMs, MGTA and BGEPA	FEIS Tables 2.2 and 2.3 include protective measures for threatened, endangered, and other protected species. Table 2.3 also includes protective measures for other "unprotected' species. BGEPA and MBTA compliance is not included in these tables but is addressed in Chapter 4.
1.45	USFWS	Impacts to wildlife	Noted. Literature searches were conducted and none could be found that address wind farm impacts on mammals, reptiles, or amphibians. Impacts were determined to be less than significant based on small amount of habitats that will be disturbed, the short construction timeframe, and the low level of disturbances from operations. See FEIS Section 4.4.3.
1.46	USFWS	Impacts to bats	Data has been added to FEIS Section to include results from the 2009 bat surveys; text was also updated inFEIS Section 4.4.3 to address potential impacts.
1.47	USFWS	Impacts to bald eagles	EIS text was updated on Pages 102, 111, 190, and 203. See FEIS Sections 3.4 and 4.4.3.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
1.48	USFWS	Cumulative impacts and the Map from the South Dakota Office of Economic Development with proposed projects [Attachment 3]	Noted. The process for determining which "past and present actions" and "reasonably foreseeable activities" were included in the cumulative impacts analysis as described in Section 5.3. Several new projects were added to this analysis and the cumulative impacts in FEIS Section 5.4.2 have been reevaluated, including those to migratory birds. Those "proposed" projects that were deemed "reasonably certain to occur" were included in the analysis. We have also updated Table 5.1 and added Figure 5.2 to include the proposed projects that are being carried forward in the analysis.
1.49	USFWS	Cumulative impacts and CEQ	Noted.
1.50	USFWS	Cumulative impacts and MISO	Information on MISO has been added in FEIS Section 5.2.
1.51	USFWS	Cumulative impacts and existing utility infrastructure	The majority of the region, including both site alternatives, is currently used for rangeland and agriculture; additionally, Western's Wessington Springs and Winner substations were identified as industrial uses. Agriculture, sporadic farmsteads and road infrastructure are existing and ongoing activities. For purposes of analyzing cumulative impacts, those past and present activities were considered part of the baseline condition of the areas see in FEIS SEction 5.2.
1.52	USFWS	Cumulative impacts and reasonably foreseeable future actions	Noted. The process for determining which "past and present actions" and "reasonably foreseeable activities" were included in the cumulative impacts analysis is described in FEIS Section 5.3. Several new projects were added to this analysis and the cumulative impacts in FEIS Section 5.4 have been reevaluated. Those "potential" projects that were deemed "reasonably certain to occur" were included in the analysis. We have also updated FEIS Table 5.1 and added FEIS Figure 5.2 to include the proposed projects that are being carried forward in the analysis. The Titan project did not meet these criteria and was not carried forward in the analysis.
1.53	USFWS	Cumulative impacts and reptile and amphibian mortality	FEIS Section 5.4.2 was updated to explain the logic for the conclusion that incremental impacts would not increase cumulative impacts to these species based on the cumulative impact analysis area for these species.
1.54	USFWS	Cumulative impacts, tower lighting and mortality	See FEIS Section 5.4.2

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
1.55	USFWS	Cumulative impacts to birds and bats	Noted. Potential cumulative impacts to birds and bats was reevaluated based on the updated list of potential projects (FEIS Table 5.1). Information from the SDPUC and AWEA was utilized; the MW and turbine information that was available is listed in FEIS Table 5.1. Given the distance that separates most of these projects in South Dakota, it is not expected that species using those areas would be incrementally impacted by the wind faciltiy.
1.56	USFWS	Cumulative impacts to birds and bats	See FEIS Section 5.4.2
1.57	USFWS	Federally listed species Topeka shiner and Piping Plover	See FEIS Table S-2
1.58	USFWS	Federally listed species Piping Plover	FEIS Section 4.4.3 was updated to reflect the conclusion from the BA. The likelihood of piping plover mortality is discountable and formal consultation is not necessary. USFWS sent a letter accepting the BA on March 16, 2010 indicating concurrence with the determinations in the BA (Larson 2010).
1.59	USFWS	Federally listed species American burying beetle	See FEIS table S-2 and Section 4.4.3
1.60	USFWS	Section 7 (a) (1)	FEIS Section 4.4.3 was updated with information provided to the USFWS in the BA. The Agencies recognize their obligations under 7(a)1. The Agencies can only provide conservation measures under their respective authorities. The Agencies cannot acquire land as suggested by USFWS. The Applicant has agreed to habitat offsets for indirect wetland impacts and avoidance impacts for grassland and wetland avian species.
1.61	USFWS	Federally listed species Northern leopard frog	Noted. Potential impacts to this species were considered in Sections 4.4.3.1 and 4.4.3.2 of the FEIS. If the USFWS finds that listing is "not warranted", no further consideration will be necessary. If the USFWS finds that listing of this species is "warranted" or "warranted but precluded", the Agencies understand intra-service Section 7 requirements would apply regarding turbine placement on USFWS easement areas.
1, Attachment 1	USFWS	Region 6, Guidance for Minimizing Effects from Power Line Projects Within the Whooping Crane Migration Corridor	Noted.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
1, Attachment 2	USFWS	Central Flyway Whooping Crane Migration Corridor (Figure)	Incorporated into FEIS, see Figure 3.4-5.
1, Attachment 3	USFWS	South Dakota Wind Energy Development (Figure)	Evaluated for inclusion in cumulative impacts, see FEIS Section 5.3.
Federal			
2.1	BIA	No comment on Proposed Action	Noted.
2.2	BIA	Contact Tribes or Tribal members with lands in fee status near the proposed site alternatives	Noted. Tribes have been contacted regarding the Proposed Project and site alternatives. See FEIS Sections 1.4.3, 1.5, and 9.1.
2.3	BIA	Compliance with regulation to ensure the BIA has no environmental objection to actions	Noted.
2.4	BIA	Contact information	Noted.
2.5	BIA	Proposed actions would not affect cultural resources that the BIA are responsible for	Noted.
2.6	BIA	Compliance with regulations such as the Native American Graves and Repatriation Act (NAGPRA) and the Archaeological Resources Protection Act of 1979 (ARPA)	Noted. Implementation of Applicants and Agencies BMPs would ensure compliance with NAGPRA and ARPA regulations.
2.7	BIA	Contact information	Noted.
3.1	DOI	Biological APMs and BMPs	Noted. Details were added to Table 2.3 regarding the Applicant and Agency commitments. Additionally, an OMP detailing post-construction commitments has been drafted and provided the USFWS for review. Whooping Crane monitoring commitments were outlined in the BA, and habitat offsets were designed and committed to by the Applicant.
3.2	DOI	Biological APMs and BMPs	Noted. Details were added to Table 2.3 regarding the Applicant and Agency commitments. Additionally, an OMP detailing post-construction commitments has been drafted and provided the USFWS for review. Whooping Crane monitoring commitments were outlined in the BA, and habitat offsets were designed and committed to by the Applicant.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
3.3	DOI	APMs and BMPs references	Noted.
3.4	DOI	APMs and BMPs	Noted. The Applicants and Agencies have committed to these included BMPs and APMs prior to the evaluation of environmental impacts.
3.5	DOI	Biological - MBTA, description of a "take"	Noted. Federal wildlife statute and regulation descriptions were updated in FEIS Section 3.4.1 and their relevance to project impacts were reexamined.
3.6	DOI	Executive Order 13186 and MOU between DOE and USFWS	Noted. The Agencies recognize their obligations under 7(a)1, EO 13186, and the MOU between DOE and USFWS. The Agencies can only provide conservation measures under their respective authorities. The Agencies cannot acquire land as suggested by USFWS. Western has developed an ABPP and is an active member of APLIC, as is RUS.
3.7	DOI	Cumulative impacts additional wind projects in South Dakota	Noted. The process for determining which "past and present actions" and "reasonably foreseeable activities" were included in the cumulative impacts analysis described in FEIS Chapter 5. Several new projects were added to this analysis and the cumulative impacts have been reevaluated (see FEIS Section 5.4). Those "potential" projects that were deemed "reasonably certain to occur" were included in the analysis.
3.8	DOI	Cumulative impacts and biological mitigation	Noted. Protective measures have been identified in the DEIS in Tables 2.2 and 2.3. Additionally, AWEA and USFWS are currently preparing an HCP for potential impacts to the whooping crane in the Central Flyway from wind development. This document will identify additional suitable protective measures. This document won't be available before the FEIS is published.
3.9	DOI	Cumulative impacts and information from SDPUC on wind projects as it relates to biological resource impacts	Noted. The Agencies looked at the additional projects and evaluated them based on the methodology developed for determining past, present (Section 5.2), and reasonably foreseeable actions (Section 5.3).
3.10	DOI	Contact information	Noted.
3.11	DOI	NPS review of updates to the EIS	Noted. Updated versions of the visual sections of the EIS were provided to NPS for review prior to release of the FEIS.
3.12	DOI	Visual resources	Noted.
3.13	DOI	Visual resources	Noted.
3.14	DOI	Natural resources	Noted.
3.15	DOI	Noise, wind turbine syndrome	The reference to the Kamperman and James 2008 study was noted.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
3.16	DOI	Contact information	Noted.
3.17	DOI	References	Added references (Canadian Wildlife Service and USFWS 2007; USGS 2006; Meine and Archibald 1996) to FEIS Section 3.4.5.
3.18	DOI	Piping plover	Noted. FEIS text was added to clarify that no habitat for the species exists in the project area; therefore, no additional data is needed. Sauer el al. 2008 was reviewed and a citation was added to FEIS Section 3.4.5.
3.19	DOI	Whooping Cranes	Noted. FEIS Section 3.4.5 was updated to include recent information from the BA.
3.20	DOI	Bats roosting, breeding, foraging and migration information	Noted. Little research or public information is available regarding bats in South Dakota. An impact discussion is included in FEIS Section 4.4.3. The OMP will address the need to conduct bat mortality studies post-construction. The Ellison *et al.* 2003 reference was reviewed and added to FEIS Section 3.4.5.
3.21	DOI	Mitigation BMPS and APMs	Noted. BMPs and APMs are discussed in Table 2.2 and 2.3.
3.22	DOI	Mitigation BMPS and APMs	Noted.
3.23	DOI	Contact information	Noted.
4.1	EPA	EPA's rating on the DEIS	Noted
4.2	EPA	Introduction to EPA's comments	Noted
4.3	EPA	Surface disturbance	Noted. FEIS Table 2.4 includes the updated surface disturbance acreages
4.4	EPA	Surface disturbance associated with crane walks	Noted. FEIS Table 2.4 includes the updated surface disturbance acreages
4.5	EPA	Water quality, and a Stormwater Pollution Prevention Plan	Noted. Basin Electric would require their construction contractor to have a SWPPP in place prior to construction. Development of the Proposed Project Components would employ the included BMPs and APMs (Chapter 2, Tables 2.2 and 2.3), and would adhere to a SWPPP. See also FEIS Section 4.1.
4.6	EPA	Water quality, and a Stormwater Pollution Prevention Plan	Noted. See response 4.5.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
4.7	EPA	Wetland impacts, wetland delineation	A wetland delineation (WEST 2009c) was completed at the Crow Lake Alternative after publication of the DEIS. FEIS Section 3.2.4 was updated and includes the referenced survey. The delineation was completed and modifications were made so that all wetlands are avoided; therefore, impacts would be less than significant.
4.8	EPA	Wetland impacts, USACE jurisdictional determination	A jurisdictional determination from the USACE is not required because all potential wetlands would be avoided. Please refer to the Water Resources APMs in FEIS Table 2.3.
4.9	EPA	Wetland impacts	Noted. Language stating wetlands would be avoided wherever possible was added to FEIS Table 2.3.
4.10	EPA	Wetland impacts	The wind facility has been designed to avoid wetlands; therefore there would be no impacts to wetlands. Refer to FEIS Table 2.3 for updated APM language.
4.11	EPA	Cumulative impacts associated with agriculture or construction, maintenance, and use of roads	Noted. The process for determining which "past and present actions" and "reasonably foreseeable activities" were included in the cumulative impacts analysis is described in FEIS Sections 5.2 and 5.3. Several new projects were added to this analysis and the cumulative impacts in FEIS Section 5.4 have been reevaluated. Those "potential" projects that were deemed "reasonably certain to occur" were included in the analysis. FEIS Table 5.1 was updated and FEIS Figure 5.2 was added to include the proposed projects that are being carried forward in the analysis.
4.12	EPA	Cumulative impacts associated with water quality and wetlands	Noted. The wetland impacts section (FEIS Section 4.2.3) has been updated and no impacts are expected. Potential impacts to water quality would be very localized and it is not anticipated that this would add to cumulative impacts. Therefore, these resources are not included in the cumulative impacts section. Refer to FEIS Section 5.4 for an updated discussion on resources that were not included in the analysis.
4.13	EPA	Additional project area, Wind Partners' proposed action	The Wind Partners' proposed development would include seven additional turbines within the Crow Lake Alternative, and a five- to six-mile underground collector line that would connect the Wind Partners' turbines to the Proposed Project's collector substation. Necessary analysis and/or identification of potential new impacts are addressed in the various sections throughout the FEIS .

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
4.14	EPA	Additional project area, Wind Partners' proposed action	See response 4.13.
4.15	EPA	Contact information	Noted.
4.16	EPA	Wetland impacts, jurisdictional and non-jurisdictional wetlands	FEIS Section 4.2.3 was updated to reflect comment.
4.17	EPA	Wetland impacts, and mitigation	FEIS Section 4.2.3 has been updated to demonstrate no wetland impacts; therefore, mitigation is not required.
4.18	EPA	Wetland impacts, NWI information	Wetlands were field verified and included on FEIS Figures 3.2-3 and 3.2-4. Additionally, wetland delineations were completed for the Crow Lake Alternative in potential impact areas and a buffer around those areas (WEST 2009c). When final engineering is complete, another wetland delineation would be completed for micro-siting to avoid wetland areas. Refer to updated FEIS Sections 3.2.4 and 4.2.3.
4.19	EPA	Water resources	Smaller scale maps have been included FEIS Section 3.2 to depict the location of the Proposed Project Components in relation to water bodies. Minimal impacts from runoff are expected due to the mild topography and low erodibility of the soils in the area.
4.20	EPA	Air quality impacts methodology to determine near-field particulate matter emissions	Noted. The majority of the area is used for rangeland and agriculture. Impacts would be restricted to short periods during construction or decommissioning at small, individual sites. Included BMPs and APMs (as listed in FEIS Chapter 2, Table 2.2 and Table 2.3) would be employed during ground disturbing activities.
4.21	EPA	Air quality APMs and BMPs	Noted. Refer to the included BMPs and APMs (as listed in FEIS Chapter 2, Table 2.2 and Table 2.3).
4.22	EPA	Air quality dust control measures	Noted. Refer to the included BMPs and APMs (as listed in FEIS Chapter 2, Table 2.2 and Table 2.3).
4.23	EPA	Air quality impacts	Noted. Refer to the included BMPs and APMs (as listed in FEIS Chapter 2, Table 2.2 and Table 2.3).
4.24	EPA	Climate change and SF_6	Noted. At this time, the Agencies do not anticipate drafting a plan for SF_6 Handling and Use Policy. Reference SF_6 info on the following websites: 1) Western's at http://www.wapa.gov/CorpSrvs/envpoll.htm; and 2) EPA at http://www.epa.gov/p2/

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
4.25	EPA	Climate change and SF_6	Noted. Western and RUS have provided this information to Basin Electric.
4.26	EPA	Surface disturbance	See FEIS Table 2.4 and BMPs and APMs (as listed in FEIS Chapter 2, Table 2.2 and Table 2.3).
4.27	EPA	Surface disturbance associated with the Winner Alternative	The Crow Lake Alternative is located on approximately 36,000 acres, and the Winner Alternative is located on approximately 83,000 acres to accomodate for the greatest wind potential within those individual sites. Additionally, to enable the Agencies to make an informed decision on the proposed Federal actions, the current layout for the Proposed Project Components was updated from what was included in the DEIS. The FEIS has been updated to reflect this information, see Chapter 4.
4.28	EPA	Surface disturbance and post-construction noxious weed control	A post-construction noxious weed monitoring plan would be developed and surveys would be conducted for three years post-construction, with additional follow up in problem areas (FEIS Table 2.3).
4.29	EPA	Surface disturbance and a Weed Management Plan	The Applicants would prepare and implement a post-construction noxious weed monitoring plan. See also included BMPs and APMs (as listed in FEIS Chapter 2, Table 2.2 and Table 2.3).
4.30	EPA	Cumulative impacts associated with whooping crane, greater prairie chicken, and sharp-tailed grouse	FEIS Section 5.4 was updated to include language from the BA and to include an analysis for greater prairie chicken and sharp-tailed grouse.
4.31	EPA	NHPA	Noted. See FEIS Section 9.1
4.32	EPA	NHPA, summary of the Section 106 process	Noted. See FEIS Section 3.5.1.
4.33	EPA	NHPA, MOA	Noted. See FEIS Section 4.5.3.
4.34	EPA	NHPA	Noted. Tribes have been added to Table 1.1.
4.35	EPA	ESA, BA	The BA was submitted to USFWS on February 17, 2010. Additional information, including mitigation/monitoring from the BA has been included FEIS Sections 3.4.5 and 4.4.3. A copy of the BA and USFWS's acceptance letter is included as FEIS Appendix G. Information from the BO will be incorporated into each Agency's ROD.
4.36	EPA	Western's system modifications	Noted. See FEIS Chapter 2 for the current status of Western's system modifications.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
4, Attachment 1	EPA	U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements	Noted.
5.1	NPS	Factual correction	Corrected throughout FEIS visual resource sections 3.8 and 4.8.
5.2	NPS	Consider visual impacts on all parts of trail and auto route	Additional analysis included in FEIS Section 4.8 (Visual Resources, Impact Analysis sections).
5.3	NPS	Cumulative visual impacts should consider all existing and reasonably foreseeable impacts along the Trail	Additional analysis included in FEIS Section 5.4.5.
5.4	NPS	Request information on computer methods used for visual simulations	Additional methods information included in FEIS Section 4.8.1.
5.5	NPS	Contact information	Noted.
State Agencies			
6.1	DENR- Hicks	Department does not anticipate adverse impacts to ground water quality	Noted.
6.2	DENR- Hicks	Portions of Winner are class "A"	Noted.
6.3	DENR- Hicks	A list of petroleum and chemical releases is provided with letter	Noted.
6.4	DENR- Hicks	Provided website for further research	Noted.
6.5	DENR- Hicks	Contact for reporting contamination	Noted.
6.6	DENR- Hicks	Input on methods for addressing contaminations	Noted.
6.7	DENR- Hicks	Contact information	Noted.
6, Attachment 1	DENR- Hicks	List of petroleum and chemical releases	Noted.
7.1	DENR- Miller	No drinking water objections	Noted.
7.2	DENR- Miller	Notify rural water provider of activities	Noted.
7.3	DENR- Miller	No air quality objections	Noted.
7.4	DENR- Miller	Surface Water Discharge permit required if dewatering	Noted.
7.5	DENR- Miller	Erosion and sediment control	Noted.
7.6	DENR- Miller	Surface water body protection	Noted.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
7.7	DENR- Miller	Contact information	Noted.
7.8	DENR- Miller	Contact information	Noted.
7.9	DENR- Miller	Waste management does not anticipate impacts	Noted.
7.10	DENR- Miller	Contact information	Noted.
7.11	DENR- Miller	Contact information	Noted.
8.1	SDGFP	Biological	Noted.
8.2	SDGFP	Biological - typographical correction	Corrected.
8.3	SDGFP	Biological - editorial correction	Corrected.
8.4	SDGFP	Biological - editorial correction	Corrected.
8.5	SDGFP	Biological - additional data	FEIS Figure 3.4-2 was updated to include the most recent observations.
8.6	SDGFP	Biological - additional data	FEIS Figure 3.4-4 was updated to include the most recent observations.
8.7	SDGFP	Biological - wildlife habitat	See FEIS Section 3.4.
8.8	SDGFP	Biological - typographical correction	FEIS Appendix C, Table C-1 updated.
8.9	SDGFP	Biological - wildlife occurrence	Verified misidentification and FEIS Appendix C, Table C-1 updated (removed spring peeper).
8.10	SDGFP	Biological - typographical correction	FEIS Appendix C, Table C-1 updated.
8.11	SDGFP	Biological - typographical correction	FEIS Appendix C, Table C-1 updated.
8.12	SDGFP	Biological - typographical correction	FEIS Appendix C, Table C-1 updated.
8.13	SDGFP	Biological	Noted. Horned larks would be one of the avian species monitored during post-construction monitoring.
8.14	SDGFP	Biological	Noted. Upland sandpipers, chestnut-collared longspurs, and grasshopper sparrows would be monitored during post-construction monitoring.
8.15	SDGFP	Biological - wildlife occurrence	FEIS Section 3.4 was updated to include supplemental occurrence data.
8.16	SDGFP	Biological - factual clarification	FEIS Section 3.4 updated to clarify amount of intact grasslands in the site alternative areas.
8.17	SDGFP	Biological - additional data	FEIS Section 3.4 updated to include additional known breeding areas.
8.18	SDGFP	Biological - reporting	Noted. Any nests found during pre- or post-construction monitoring would be reported to the SDGFP.
8.19	SDGFP	Biological	Noted
8.20	SDGFP	Biological - Wildlife Occurrence	FEIS Section 3.4 was updated to include supplemental occurrence data.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
8.21	SDGFP	Biological - Reference Update	FEIS Section 3.4 was updated to include data from the SD Breeding Bird Atlas and a citation was added (Peterson 1995).
8.22	SDGFP	Biological - factual correction	Corrected.
8.23	SDGFP	Biological	Noted.
8.24	SDGFP	Biological - Impact Significance	Noted. A significance criterion for impacts to native prairie was not included because grassland impacts are small compared to the existing grassland habitat within the Alternatives. Impacts to these habitats are discussed in FEIS Section 4.4.3.
8.25	SDGFP	Biological - Mitigation	Plans to mitigate significant impacts are included in FEIS Tables 2.2 and 2.3.
8.26	SDGFP	Biological - Significance Criteria	Factors considered for assessing potential impacts on population viability include: 1) habitat connectivity; 2) spatial distribution of habitat; 3) reproductive rates; 4) environmental conditions that may reduce carrying capacity or increase variance in the growth rates of populations; and 5) maintenance of genetic variability.
8.27	SDGFP	Biological - Significance Criteria	See FEIS Section 4.4.2.
8.28	SDGFP	Biological - Significance Criteria	See FEIS Section 4.4.2.
8.29	SDGFP	Biological - factual correction	FEIS Section 4.4.3 was updated to include the percentage of cropland in the site alternative areas. Turbines, roads, and infrastructure would be placed in cropland as much as feasible.
8.30	SDGFP	Biological - Impact Significance	FEIS Section 4.4.3 was updated to demonstrate potential avoidance impacts during operations.
8.31	SDGFP	Biological - factual correction	FEIS Section 4.4.3 was updated and the statement was stricken.
8.32	SDGFP	Biological - Impact Significance	Noted. Please refer to the discussion of indirect impacts in Section 4.4.3.
8.33	SDGFP	Biological - Impact Significance	FEIS Section 4.4.3 was updated to reflect comment.
8.34	SDGFP	Biological - Impact Significance	FEIS Section 4.4.3 was updated to reflect comment.
8.35	SDGFP	Biological - Impact Significance	Noted. FEIS Section 4.4.3 states that no wetland shrub habitats would be disturbed.
8.36	SDGFP	Biological - Impact Significance	Noted. Added the Kunz *et al* . 2007 reference in FEIS Section 4.4.3.
8.37	SDGFP	Biological - factual correction	Noted. FEIS Section 4.4.3 has been updated to reflect comment.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
8.38	SDGFP	Biological - Bat Surveys	Bat surveys were conducted from May 27 through October 15, 2009, and targeted the fall migration. Most bat mortalities have been shown to occur during the fall migration season (roughly August and September). The study was designed to capture the most relevant data possible.
8.39	SDGFP	Biological - Northern Leopard Frog	Noted.
8.40	SDGFP	Biological - Post-construction monitoring	Noted. Post-construction monitoring reports would be provided to SDGFP.
8.41	SDGFP	Biological - Post-construction monitoring	Yes, bat mortality monitoring is proposed for three years post-construction.
8.42	SDGFP	Biological	Noted. We received SDGFP's comments and provided the final grouse study plan to SDGFP on March 24, 2010.
8.43	SDGFP	Contact information	Noted.
Native American Tribes			
9.1	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Cultural Resource section 5.4.3	Noted. When the Metcalf inventory report became available, it was provided to the Tribes.
9.2	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Cultural Resource section 5.4.3 and ability to provide comments on information in the DEIS	Noted. See response 9.1
9.3	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Lack of archaeology information	Noted. At the time the DEIS was published, the only finalized data was the Class I information that was presented in the DEIS. The Metcalf report has since been submitted to the Tribes for review and the results of the inventory were incorporated into FEIS Section 4.5.3.
9.4	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Class III and TCP studies	Noted. The Metcalf inventory report and the TCP survey report have been submitted to the Tribes for review and comment.
9.5	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Section 106 process	Noted. Meetings have been requested.
9.6	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Section 106 process and NEPA process	Noted. Western correspondance from N. J. Stas to the Tribes dated 052209 stated that Western plans to coordinate the requirements of NEPA and Section 106, and the FEIS will document both processes.
9.7	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Measures to avoid, minimize or mitigate	Noted.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
9.8	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Consultation with Tribes	Noted. Western has requested and held meetings with the Tribes to discuss effects of the project on historic properties on June 24, August 5, and September 29, 2009; and March 30 and 31, and May 10, 2010.
9.9	Dianne Desrosiers / Sisseton-Wahpeton Oyate	MOA and PA	Noted. A draft agreement document has since been presented to the Tribes and is currently being developed.
9.10	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Sisseton Wahpeton Oyate requests to be a consulting party	Noted.
9.11	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Programmatic agreement, Section 106 process, NEPA process and timeline	Noted. Since the release of the DEIS the Tribes have received copies of the Metcalf report, TCP survey report, draft agreement document for review and comment.
9.12	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Request for comment period extension	Noted.
9.13	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Response timing	Noted.
9.14	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Contact information	Noted.
10.1	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Section 106 process and NEPA process	Noted.
10.2	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Meetings for the Section 106 process and NEPA process	Noted. See response 9.6.
10.3	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Class III consultation meeting	Noted. See response 9.8.
10.4	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Mitigation BMPS and APMs	Noted.
10.5	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Mitigation BMPS and APMs	Noted.
10.6	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Western and RUS Section 106 policies	Noted.
10.7	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Government to government consultation	Noted.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
10.8	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Government to government consultation	Noted. Text has been changed in the FEIS; however, correspondance was sent to Tribal Chairpersons as well as THPOs and interested parties requesting Government-to-Government meetings to discuss potential cultural resource issues.
10.9	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Section 106 process, Tribal governments and THPOs	Noted.
10.10	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Cultural Resource section 5.4.3	Noted. See response 9.1.
10.11	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Cultural Resource section 5.4.3 and ability to provide comments on information in the DEIS	Noted. See response 9.2.
10.12	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Lack of archaeology information	Noted. See response 9.3.
10.13	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Class III and TCP studies	Noted. See response 9.4.
10.14	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Section 106 process	Noted. See response 9.5.
10.15	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Section 106 process and NEPA process	Noted. See response 9.6.
10.16	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Measures to avoid, minimize or mitigate	Noted.
10.17	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Consultation with Tribes	Noted. See response 9.8.
10.18	Dianne Desrosiers / Sisseton-Wahpeton Oyate	MOA	Noted. See response 9.9.
10.19	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Section 106 process and NEPA process	Noted.
10.20	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Request for comment period extension	Noted. Western and RUS determined that there was no significant reason to extend the comment period.
10.21	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Section 106 compliance with MOA and PA	Noted. See response 9.9.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
10.22	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Class III study	Noted. See response 9.3.
10.23	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Archaeological study	Noted. See response 9.3.
10.24	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Proposed Project timeline	Noted.
10.25	Dianne Desrosiers / Sisseton-Wahpeton Oyate	MOA	Noted. See response 9.9.
10.26	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Measures to avoid, minimize or mitigate	Noted.
10.27	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Metcalf Class III report and TCP report	Noted. See response 9.4.
10.28	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Review of the EIS and measures to avoid, minimize or mitigate	Noted.
10.29	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Comment period for the DEIS	Noted.
10.30	Dianne Desrosiers / Sisseton-Wahpeton Oyate	36 CFR 800.8	Noted.
10.31	Dianne Desrosiers / Sisseton-Wahpeton Oyate	Contact information	Noted.
11.1	Gravatt / Yankton Sioux Tribe	Section 106 consultation	Noted. See response 9.5.
12.1	Jones / Santee Sioux Tribe	General comment	Noted.
12.2	Jones / Santee Sioux Tribe	Notification	Noted.
12.3	Jones / Santee Sioux Tribe	NEPA and Section 106 consultation	Noted.
13.1	Mentz/ Standing Rock Sioux Tribe	Consultation process for the Class III and TCP studies	Noted. See response 9.11.
13.2	Mentz/ Standing Rock Sioux Tribe	Title of the Class III study	Noted. PrairieWinds SD1: A Cultural Resource Inventory of a Wind Energy Project In Aurora, Brule, and Jeruld Counties, South Dakota. Stine *et al.* (2010)
13.3	Mentz/ Standing Rock Sioux Tribe	Section 106 consultation with SHPO and THPOs	Noted. See response 9.8.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
13.4	Mentz/ Standing Rock Sioux Tribe	MOA	Noted. See response 9.9.
13.5	Mentz/ Standing Rock Sioux Tribe	Section 106 schedule	Noted. See response 9.8
14.1	Russell Bear Eagle/ Rosebud Sioux Tribe	Section 106 process and NEPA process	Noted. See response 9.3.
14.2	Russell Bear Eagle/ Rosebud Sioux Tribe	Review of the EIS and measures to avoid, minimize or mitigate	Noted.
14.3	Russell Bear Eagle/ Rosebud Sioux Tribe	Western and RUS policies for the Section 106 process and NEPA process	Noted. See response 9.8.
14.4	Russell Bear Eagle/ Rosebud Sioux Tribe	Section 106 process and NEPA process	Noted.
14.5	Russell Bear Eagle/ Rosebud Sioux Tribe	Section 106 process, Tribal governments and THPOs	Noted. See response 10.8.
14.6	Russell Bear Eagle/ Rosebud Sioux Tribe	MOA	Noted. See response 9.9.
14.7	Russell Bear Eagle/ Rosebud Sioux Tribe	Cultural Resource section 5.4.3	Noted. See response 9.1.
14.8	Russell Bear Eagle/ Rosebud Sioux Tribe	Cultural Resource section 5.4.3 and ability to provide comments on information in the DEIS	Noted. See response 9.2
14.9	Russell Bear Eagle/ Rosebud Sioux Tribe	Lack of archaeology information	Noted. See response 9.3
14.10	Russell Bear Eagle/ Rosebud Sioux Tribe	Class III and TCP studies	Noted. See response 9.4
14.11	Russell Bear Eagle/ Rosebud Sioux Tribe	Section 106 process	Noted. See response 9.5
14.12	Russell Bear Eagle/ Rosebud Sioux Tribe	Section 106 process and NEPA process	Noted. See response 9.6
14.13	Russell Bear Eagle/ Rosebud Sioux Tribe	Measures to avoid, minimize or mitigate	Noted.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
14.14	Russell Bear Eagle/ Rosebud Sioux Tribe	Consultation with Tribes	Noted. See response 9.8
14.15	Russell Bear Eagle/ Rosebud Sioux Tribe	MOA	Noted. See response 9.9.
14.16	Russell Bear Eagle/ Rosebud Sioux Tribe	Section 106 process and NEPA process	Noted. See response 9.4
14.17	Russell Bear Eagle/ Rosebud Sioux Tribe	Request for comment period extension	Noted.
14.18	Russell Bear Eagle/ Rosebud Sioux Tribe	Section 106 compliance with MOA and PA	Noted. See response 9.9.
14.19	Russell Bear Eagle/ Rosebud Sioux Tribe	Class III study	Noted. See response 9.3.
14.20	Russell Bear Eagle/ Rosebud Sioux Tribe	Archaeological study	Noted. See response 9.3.
14.21	Russell Bear Eagle/ Rosebud Sioux Tribe	Proposed Project timeline	Noted.
14.22	Russell Bear Eagle/ Rosebud Sioux Tribe	MOA	Noted. See response 9.9.
14.23	Russell Bear Eagle/ Rosebud Sioux Tribe	Measures to avoid, minimize or mitigate	Noted.
14.24	Russell Bear Eagle/ Rosebud Sioux Tribe	Metcalf Class III report and TCP report	Noted. See response 9.4.
14.25	Russell Bear Eagle/ Rosebud Sioux Tribe	Review of the EIS and measures to avoid, minimize or mitigate	Noted.
14.26	Russell Bear Eagle/ Rosebud Sioux Tribe	36 CFR 800.8	Noted.
14.27	Russell Bear Eagle/ Rosebud Sioux Tribe	Contact information	Noted.
15.1	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process and NEPA process	Noted. See response 9.3
15.2	Waste' Win Young/ Standing Rock Sioux Tribe	Meetings for the Section 106 process and NEPA process	Noted. See response 9.8

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
15.3	Waste' Win Young/ Standing Rock Sioux Tribe	Class III consultation meeting	Noted. See response 9.8
15.4	Waste' Win Young/ Standing Rock Sioux Tribe	Mitigation BMPS and APMs	Noted.
15.5	Waste' Win Young/ Standing Rock Sioux Tribe	Mitigation BMPS and APMs	Noted.
15.6	Waste' Win Young/ Standing Rock Sioux Tribe	Western and RUS Section 106 policies	Noted.
15.7	Waste' Win Young/ Standing Rock Sioux Tribe	Government to government consultation	Noted.
15.8	Waste' Win Young/ Standing Rock Sioux Tribe	Government to government consultation	Noted. See response 10.8
15.9	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process, Tribal governments and THPOs	Noted.
15.10	Waste' Win Young/ Standing Rock Sioux Tribe	Cultural Resource section 5.4.3	Noted. See response 9.1.
15.11	Waste' Win Young/ Standing Rock Sioux Tribe	Cultural Resource section 5.4.3 and ability to provide comments on information in the DEIS	Noted. See response 9.2.
15.12	Waste' Win Young/ Standing Rock Sioux Tribe	Lack of archaeology information	Noted. See response 9.3.
15.13	Waste' Win Young/ Standing Rock Sioux Tribe	Class III and TCP studies	Noted. See response 9.4.
15.14	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process	Noted. See response 9.5.
15.15	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process and NEPA process	Noted. See response 9.3.
15.16	Waste' Win Young/ Standing Rock Sioux Tribe	Measures to avoid, minimize or mitigate	Noted.
15.17	Waste' Win Young/ Standing Rock Sioux Tribe	Consultation with Tribes	Noted. See response 9.8.
15.18	Waste' Win Young/ Standing Rock Sioux Tribe	MOA	Noted. See response 9.9.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
15.19	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process and NEPA process	Noted. See response 9.3.
15.20	Waste' Win Young/ Standing Rock Sioux Tribe	Request for comment period extension	Noted.
15.21	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 compliance with MOA and PA	Noted. See response 9.9.
15.22	Waste' Win Young/ Standing Rock Sioux Tribe	Class III study	Noted. See response 9.3.
15.23	Waste' Win Young/ Standing Rock Sioux Tribe	Archaeological study	Noted. See response 9.3.
15.24	Waste' Win Young/ Standing Rock Sioux Tribe	Proposed Project timeline	Noted.
15.25	Waste' Win Young/ Standing Rock Sioux Tribe	MOA	Noted. See response 9.9.
15.26	Waste' Win Young/ Standing Rock Sioux Tribe	Measures to avoid, minimize or mitigate	Noted.
15.27	Waste' Win Young/ Standing Rock Sioux Tribe	Metcalf Class III report and TCP report	Noted. See response 9.4.
15.28	Waste' Win Young/ Standing Rock Sioux Tribe	Review of the EIS and measures to avoid, minimize or mitigate	Noted.
15.29	Waste' Win Young/ Standing Rock Sioux Tribe	Comment period for the DEIS	Noted.
15.30	Waste' Win Young/ Standing Rock Sioux Tribe	36 CFR 800.8	Noted.
15.31	Waste' Win Young/ Standing Rock Sioux Tribe	Contact information	Noted.
16.1	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process and NEPA process	Noted. See response 9.3.
16.2	Waste' Win Young/ Standing Rock Sioux Tribe	Meetings for the Section 106 process and NEPA process	Noted. See response 9.8.
16.3	Waste' Win Young/ Standing Rock Sioux Tribe	Class III consultation meeting	Noted. See response 9.8.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
16.4	Waste' Win Young/ Standing Rock Sioux Tribe	Mitigation BMPS and APMs	Noted.
16.5	Waste' Win Young/ Standing Rock Sioux Tribe	Mitigation BMPS and APMs	Noted.
16.6	Waste' Win Young/ Standing Rock Sioux Tribe	Western and RUS Section 106 policies	Noted.
16.7	Waste' Win Young/ Standing Rock Sioux Tribe	Government to government consultation	Noted.
16.8	Waste' Win Young/ Standing Rock Sioux Tribe	Government to government consultation	Noted. See response 10.8.
16.9	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process, Tribal governments and THPOs	Noted.
16.10	Waste' Win Young/ Standing Rock Sioux Tribe	Cultural Resource section 5.4.3	Noted. See response 9.1.
16.11	Waste' Win Young/ Standing Rock Sioux Tribe	Cultural Resource section 5.4.3 and ability to provide comments on information in the DEIS	Noted. See response 9.2.
16.12	Waste' Win Young/ Standing Rock Sioux Tribe	Lack of archaeology information	Noted. See response 9.3.
16.13	Waste' Win Young/ Standing Rock Sioux Tribe	Class III and TCP studies	Noted. See response 9.4.
16.14	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process	Noted. See response 9.5.
16.15	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process and NEPA process	Noted. See response 9.6.
16.16	Waste' Win Young/ Standing Rock Sioux Tribe	Measures to avoid, minimize or mitigate	Noted.
16.17	Waste' Win Young/ Standing Rock Sioux Tribe	Consultation with Tribes	Noted. See response 9.8.
16.18	Waste' Win Young/ Standing Rock Sioux Tribe	MOA	Noted. See response 9.9.
16.19	Waste' Win Young/ Standing Rock Sioux Tribe	Section 106 process and NEPA process	Noted.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
16.20	Waste' Win Young/ Standing Rock Sioux Tribe	Request for comment period extension	Noted.
17.1	Youpee Young Eagle	Demallie territory	Noted. Additional text added to FEIS.
17.2	Youpee Young Eagle	Cultural history	Noted.
17.3	Youpee Young Eagle	Clarification of term "nomadic"	Noted.
17.4	Youpee Young Eagle	Need for federal responsibility - Utilization of traditional knowledge	Noted.
17.5	Youpee Young Eagle	Training of construction workers	Noted. Compliance with Western BMPs would ensure construction workers would be trained.
17.6	Youpee Young Eagle	Winner Alternative TCP record search	Noted. If the Winner Alternative is selected a Class III pedestrian survey and a TCP survey would be conducted in compliance with Section 106 of the NHPA.
17.7	Youpee Young Eagle	Native Plant study	Noted.
17.8	Youpee Young Eagle	Noise Codes for SD wind projects	Noted. Refer back to the APMs for noise resources in FEIS Table 2.3.
17.9	Youpee Young Eagle	Drifting Goose & Crow Creek Sioux - Env Justice Section	Noted. Refer to FEIS Section 3.11.1 where the Crow Creek Reservation and it's proximity and ties to the Crow Lake Alternative area are stated.
17.10	Youpee Young Eagle	Eagle-Roosting Sites	Noted. Refer to FEIS Sections 3.4.5 and 4.4.3 for the updated bald eagle roosting information within the Crow Lake Alternative.
17.11	Youpee Young Eagle	Section 106 compliance with MOA and PA	Noted. See response 9.9.
17.12	Youpee Young Eagle	Measures to avoid, minimize or mitigate	Noted.
17.13	Youpee Young Eagle	TCPs that may extend outside project boundary	Noted.
17.14	Youpee Young Eagle	Habitation/temporary camp sites not significant for excavation but for ethnographic purposes	Noted.
17.15	Youpee Young Eagle	Time constraints does not allow for meaniful project consultation	Noted.
17.16	Youpee Young Eagle	Collaborative comments	Noted.
Local			

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
18.1	Kimball Area Chamber of Commerce-Price	Out of Scope: Chamber does not support HB 1060	Noted.
18.2	Kimball Area Chamber of Commerce-Price	Out of Scope: Request support to vote down HB 1060	Noted.
Hearing			
19.1	Weidner, Fred	Proposed Project support	Noted.
19.2	Weidner, Fred	Winner Alternative preference	Noted.
19.3	Weidner, Fred	Winner Alternative contains more grassland and less farming compared to other areas	Noted.
19.4	Weidner, Fred	Winner Alternative is in an area of warmer weather and allows more weeks of turbine operation	Noted.
20.1	Keierleber, Joel	Request wind data be made public	Request for information provided to the Applicants.
21.1	West, Nathan	Crow Lake Alternative support	Noted.
Public			
22.1	Assman, Dennis	Prefer electronic communication	Noted.
22.2	Assman, Dennis	Proposed Project support	Noted.
22.3	Assman, Dennis	Request wind data be made public	Request for information provided to the Applicants.
23.1	Clifford, Rose	Out of scope: "clean up" Montana	Noted.
23.2	Clifford, Rose	Out of scope: Promote and exhibit farming and ranching	Noted.
23.3	Clifford, Rose	Out of scope: Lifestyle changes should be fostered and promoted	Noted.
23.4	Clifford, Rose	Out of scope: Focus on refurb of existing transportation corridors and attract tourism	Noted.
23.5	Clifford, Rose	Comment format	Noted.
24.1	Gillen, Debra	Keep informed	Noted.
24.2	Gillen, Debra	Prefer electronic communication	Noted.
24.3	Gillen, Debra	Proposed Project support	Noted.
24.4	Gillen, Debra	List of community offerings	Noted.

South Dakota PrairieWinds DEIS Comment and Response Tracking Table			
Comment Number	**Commenter**	**Comment Category**	**Location of response in FEIS/or Treatment**
25.1	Gray, Michael	Out of scope: Regional transmission system	Noted. The project as proposed is to build a wind-powered electric generation facility in central South Dakota; as such, this comment is beyond the scope of this EIS.
25.2	Gray, Michael	EIS request	FEIS will be provided when complete.
25.3	Gray, Michael	Work together in the future	Noted.
26.1	Higher, Phil	Keep informed	Noted.
26.2	Higher, Phil	Prefer electronic communication	Noted.
27.1	Hotchkiss, Harold	Out of scope: Septic/port-o-potties	Noted.
28.1	Keierleber, Joel	Thanks for opportunity to comment	Noted.
28.2	Keierleber, Joel	Proposed Project support	Noted.
28.3	Keierleber, Joel	Winner Alternative preference	Noted.
28.4	Keierleber, Joel	Request wind data be made public	Request for information provided to the Applicants.
28.5	Keierleber, Joel	Request environmental data be made public	FEIS will be provided when complete.
29.1	LaRive, Chris	Prefer electronic communication	Noted.
30.1	Lefu, Fabian	Out of Scope: Investment opportunity	Noted.
31.1	Turnquist, Roger	Out of Scope: Gravel for on-site turbine location	Noted.
31, Attachment 1	Turnquist, Roger	Property location (Figure)	Noted.
32.1	West, Nathan	Keep informed	Noted.
32.2	West, Nathan	Prefer paper mailings	Noted.
32.3	West, Nathan	Support for Project	Noted.
Comment Received after March 18, 2010			
33.1	South Dakota Office of Local Transportation Programs	Requirements for structures over 200' above ground level to file with FAA and South Dakota Office of Local	Noted.
33.2	South Dakota Office of Local Transportation Programs	Forward email to anyone proposing wind farm in South Dakota	Noted.

COMPILATION OF:
DRAFT ENVIRONMENTAL IMPACT STATEMENT COMMENTS
RECEIVED AS OF MARCH 18, 2010

South Dakota PrairieWinds Project Environmental Impact Statement

March 18, 2010

South Dakota PrairieWinds Project
Draft Environmental Impact Statement
Comment Package
March 18, 2010

This document contains a compilation of comments received on the South Dakota PrairieWinds Project Draft Environmental Impact Statement (DOE/EIS-0418) (DEIS). The initial DEIS distribution and Notice of Availability occurred January 15, 2010. The comment period officially closed March 1, 2010. A public hearing was held at the Cozard Memorial Library in Chamberlain, South Dakota, on February 11, 2010. Comments received subsequent to the close of the comment period and distribution of this comment package will be incorporated into the Final EIS as long as they are received in sufficient time to address the concerns prior to the release of the Final EIS.

Summary of comments received and order of attachments:

- Cooperating Agency Comments
  - 1 comment letter was received from the Cooperating Agency
- Federal Agency Comments
  - 4 comment letters were received from Federal Agencies
- State of South Dakota a Agency Comments
  - 3 comment letters were received from State of South Dakota agencies
- Native American Tribes
  - 9 comment letters were received from Native American Tribes
- Local Agencies
  - 1 comment letter was received from Local Agencies
- Public Comments
  - 3 members of the public provided comments that were recorded by the court reporter at the public hearing
  - 11 additional written comment letters were received via fax, mail, or email

South Dakota PrairieWinds Project
Draft Environmental Impact Statement

Cooperating Agency Comments

U.S. Fish and Wildlife Service

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Mountain-Prairie Region

IN REPLY REFER TO:
FWS/R6/ES
ER10/57

MAILING ADDRESS:
P.O. Box 25486, DFC
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Boulevard
Lakewood, Colorado 80228-1807

MAR 18 2010

Comment Reference Document 1

Ms. Liana Reilly
Western Area Power Administration
P.O. Box 281123
Lakewood, Colorado 80228-8213

Dear Ms. Reilly:

The U.S. Fish and Wildlife Service (Service) has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed Prairie Winds Project, a 151.5-megawatt windpower energy generating facility in Aurora, Brule, Jerauld, and Tripp Counties, South Dakota. We offer our detailed comments on the DEIS below. This letter follows the Service's preliminary comments that were included in the Department of the Interior's letter to you (March 4, 2010), and our scoping comments to you dated May 13, 2009.

The Service recognizes the importance of the development and transmission of renewable energy resources to the Nation's economy, independence, and the environment, and seeks to ensure such resources are developed consistent with existing national laws for wildlife protection. The 1.1 proposed project lies within an area significant to our natural heritage as it lies near the Prairie Pothole waterfowl breeding area. Two components of the National Wildlife Refuge System (Lake Andes National Wildlife Refuge and Huron Wetland Management District) administer conservation easements within the project area. The Service also works with agencies and other partners to conserve wetlands, migratory birds, and federally listed threatened and endangered wildlife, and to administer environmental laws.

These comments are submitted under the authorities of the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 et seq.), the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d), the Endangered Species Act (ESA) (16 U.S.C. 1531 et. seq.), the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57), and the National Environmental Policy Act (NEPA) (Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, et. seq.).

GENERAL COMMENTS

1.2 The Service appreciates the effort undertaken to develop the DEIS. We are concerned, however, that several areas of the DEIS incorrectly interpret and apply Federal wildlife laws. 1.3 In addition, in several areas the rationale used to support analysis and DEIS determinations relies on protocols and an avian and bat protection plan which have not been developed, or to our knowledge initiated. Without the protocol and plan, the project description is incomplete. The

1.3 continued

absence of the draft protocols and plan hindered our review of the document, and our concurrence with conclusions set forth. Our comments offer revisions for the DEIS text. We also recommend that protocols and plans referenced in the DEIS be completed and distributed for review before the EIS is finalized. 1.4

Regulatory Framework

1.5 We recommend that descriptions of the Federal wildlife statutes and regulations (i.e., the ESA, MBTA, BGEPA, and Executive Order 13186) in the DEIS be revised to better convey their key intents and purposes. 1.6 The interpretation of project effects in relation to the laws also should be corrected.

For example, one potential impact of the project would be direct avian mortality as a result of bird collisions with the turbines (e.g., pages 165, 170). As you know (and as stated on page 69 of the DEIS), the MBTA prohibits such take of bird species protected by this law. The MBTA is a strict liability statute wherein proof of intent is not an element of a "taking" violation. Yet, in the sections of the DEIS where project effects are discussed, the document contains contrary statements that the MBTA will not be violated (i.e., "The Proposed Project and proposed Federal actions would not violate Federal or State wildlife conservation policy." page XVIIII).

1.7 Elsewhere, the DEIS states that the proposed project "…would not result in take of a protected species beyond that authorized by permit" (e.g., Page XIX, under *State and Federal Species of Concern*). However, a permit for take cannot be obtained for migratory birds protected by MBTA. Under the MBTA, actions that result in take or possession of a protected migratory species can result in threat of violation. We also found confusing interpretations of the ESA and BGEPA in the DEIS.

1.8 In our Specific Comments below, the Service provides text to incorporate in the "Regulatory Framework" section (page 69) of the DEIS to clarify the wildlife laws and policies applicable to the project. We recommend that the substance of these laws and policies be carried forward to the analysis of project effects in Environmental Consequences (Chapter 4). 1.9 We also recommend that the Western Area Power Administration (WAPA) and the Rural Utilities Service consult with the Service to ensure that all conclusions in the DEIS are accurate and consistent with applicable wildlife laws.

During advanced project planning, the Service would like to collaborate with WAPA and Rural Utilities Service to identify opportunities to improve wildlife resources of the project area, in accord with the Executive Order 13186, and the 2006 Memorandum of Understanding between the Service and Department of Energy implementing the Order.

Proposed Action – (Best Management Practices and Applicant's Proposed Measures)

The DEIS (Chapter 2) describes Best Management Practices (BMPs) (Table 2.2) and Applicant's Proposed Measures (APMs) (Table 2.3) to be part of the proposed project. The environmental consequences (Chapter 4) of the project were evaluated by examining potential project impacts with the BMPs and APMs included. The DEIS concludes that due to these practices and measures, other mitigation would not be required.

1.10 We appreciate that the DEIS recognizes the need for these practices and measures. However, many activities pertaining to biological resources in the AMPs are currently described as a set of measures that the project *may* include or that *could* be used. In other instances, measures are described that the applicant would adopt *where appropriate,* but does not explain how "appropriate" applications will be determined. Thus, the substance of the practices and measures which the agencies and applicant are committed to is unclear.

1.11 Among other features, the table of APMs indicates that an Avian and Bat Protection Plan and adaptive management will be developed. However, the DEIS does not provide draft plans in appendices or explain the standards that the plans would adhere to. While the Service fully supports the development of such plans, the absence of the protocols and plans and consequential project's affects on biological resources is not determinable from our DEIS review. A full description of project information is needed to meet the NEPA standards for disclosure, is essential to the DEIS reviewers and evaluate the validity of DEIS claims, and is necessary to support DEIS determinations. We believe that completing the description of these protocols and plans should be a high priority for the environmental statement.

The Service is willing to assist the Federal agencies and applicant to develop those measures. Based on the information presented in the DEIS, it appears that the following plans and procedures are needed:

1.12 * A habitat (including wetland) mitigation plan.

1.13 * A pre-construction protocol that includes a process for coordinating with land managers to identify, avoid, and minimize facility siting impacts.

1.14 * An Avian and Bat Protection Plan referenced in the DEIS, including consultation with the Service to preclude possible unauthorized take of eagles.

1.15 * A plan for measures to conserve federally listed species.

1.16 * A plan for post-construction monitoring and adaptive management.

Method Used for Analysis of Affects (Thresholds of Significance)

Chapter 4, "Environmental Consequences," discusses that a method for determining biological impacts in the DEIS relied on criteria defined as "thresholds of significance." The DEIS states that because the projects impacts not to violate these criteria, no further mitigation would be required.

1.17 We are unfamiliar with this approach, and are concerned that it is not consistent with the standards of the NEPA. We are not aware of basis under NEPA to dismiss mitigation for specific effects for resources in relation to a threshold of impact. To the contrary, the Council on Environmental Quality (CEQ) has stated, "Once the proposal itself is considered as a whole to have significant effects, all of its specific effects on the environment (whether or not "significant") must be considered, and mitigation measures must be developed where it is feasible to do so."[1] The explanation given in the DEIS for the "significance criteria" also do not

[1] <http://ceq.hss.doe.gov/nepa/regs/40/11-19.HTM#19>

seem to account for CEQ's policy that incremental impacts that contribute to cumulative impacts be mitigated. Secondly, the DEIS methodology imposes a need to correctly explain, as well as justify, the basis for the thresholds criteria. For example, one of the thresholds presented is if "an activity that violates the MBTA or BGEPA." But elsewhere in these comments, the Service points out that the legal standards of MBTA and BGEPA are not correctly interpreted and applied in the DEIS. 1.18

Cumulative Impacts

The Service believes it is necessary that Cumulative Impacts chapter (Chapter 5) rigorously address this topic. Many proposals exist for development of wind energy resources throughout South Dakota. It is important that cumulative impacts associated with development that could impact the sustainability for biological resources across the landscape be identified, so that factors contributing to undesirable impacts can be anticipated and avoided, where possible. 1.19

The DEIS describes in a general fashion the need for transmission infrastructure for delivering or facilitating delivery of electric power lines, and the economic effects of anticipated and continued windpower development. However, in terms of the actual future activities on the landscape, only information about the Rosebud Sioux Tribe windfarm is presented.

At the local scale, the Titan project which would consist of 2,000 turbines has been proposed just north of the Prairie Winds project area. This and other proposed projects in the planning stages within central South Dakota should be included in this analysis, along with the possibility of other energy development, transmission line establishment, and changes in land use. At the State-wide scale, the South Dakota Office of Economic Development identifies roughly 50 existing and proposed windfarm energy generating facilities (see Enclosure, Figure 2). This implies much larger cumulative impacts at the landscape level than the information presented in the DEIS. Therefore, we recommend that the potential for direct and indirect impacts on biological resources, in terms of potential for habitat loss and fragmentation, and bird mortalities be expanded. 1.20

We believe this chapter should identify specific measures that the Prairie Wind Project will undertake to avoid or compensate for incremental additions to cumulative impacts. 1.21

We appreciate the opportunity to review the DEIS, and look forward to continued involvement in the project. If there are any questions regarding our comments, please contact Dave Carlson at [redacted]. 1.22

Sincerely,

Deputy Regional Director

Enclosure

cc: Dennis Rankin, Rural Utilities Service
Washington, D.C. 20250-1571

ENCLOSURE TO COMMENTS
PRAIRIE WINDS DEIS

SPECIFIC COMMENTS

Chapter 2, Alternative and Proposed Federal Action.

1.23 The Service recommends that a plan or protocol for pre-construction coordination with land owners and managers be developed and submitted for agency review. A plan or protocol should include a process for coordinating with land managers to identify, avoid, and minimize facility siting impacts, and the timing of coordination.

1.24 The Service is concerned about proposed turbine locations within a high density of wetlands on three grassland easements in Brule County (T105N, R67W, Section 36). Towers placed near wetlands may increase the likelihood of bird strikes or cause birds to avoid use of the wetlands. The Service's Refuges staff would like to discuss the siting options for avoiding these types of wildlife impacts at the local scale.

1.25 The Service also is concerned about recent additions to the project. Two Service wetland easement tracts occur within the area recently proposed by South Dakota Wind Partners, in the NE1/4NE1/4 section 32, and the NW1/4NW1/4, Section 33 T106N, R65W. We request that the applicant coordinate with the Service's Refuges staff once locations of the towers, access roads, and collector lines have been preliminarily determined, for siting adjustments that would ensure that the Service's interests are not impacted by project construction or operation.

1.26 Overhead Transmission Lines: All three proposed overhead transmission corridors would cross Service wetland easements. Once a final route has been selected, onsite coordination is requested to ensure that no easement-protected wetlands are impacted by permanent or temporary construction activities. Right-of-ways secured from private landowners for the transmission lines are subject to existing Service easements. A Service grassland easement on the E 1/2 of Section 29, T106N, R65W, should be avoided by the proposed transmission line.

1.27 The DEIS indicates that power line markers will be installed "where appropriate." It is unclear whether any work has been completed that would validate the need, or lack thereof, for marking the project overhead transmission lines. We request that the plan explain the process for how and when determinations will be made, by whom.

1.28 Regulatory Framework, Page 69. We recommend that WAPA and RUS consult with the Service to ensure that all conclusions regarding wildlife are accurate and consistent with applicable laws. We suggest changes to this section as follows:

1.29 Endangered Species Act. The DEIS should include several key provisions of the EIS. In place of the last sentence of the DEIS paragraph, we recommend that the following text:

1.29 *continued*

"The purpose of the Endangered Species Act (ESA) is to conserve threatened and endangered species and the ecosystems on which they depend. Based on the federal permitting associated with the proposed project, several provisions of the ESA apply. First, under Section 7(a)(1) of the ESA, all Federal agencies have an affirmative obligation to use their authorities to proactively carry out programs that will help provide for the conservation of threatened and endangered species.

In addition, Federal agencies must ensure that their actions (including permitting) are not likely to jeopardize the continued existence of a species listed as threatened or endangered, or result in the destruction or adverse modification of critical habitat. The assessment of the impacts to listed species under ESA must address direct, indirect, and cumulative effects of the agency's action, as well as the effects of activities that are interrelated or interdependent with the action.

The ESA and implementing regulations also prohibit the take of endangered and threatened species without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in such conduct. Take that is incidental to the action in not considered to be prohibited, provided it is in compliance with terms and conditions of an Incidental Take Statement issued by the USFWS."

1.30 Migratory Bird Treaty Act. We recommend a more complete description of this Act and its applicability to the proposed action. We also suggest that Executive Order 13186 and the 2006 MOU between the Department of Energy and the Service be explained, as these pertain to the need for an avian protection plan. We suggest:

"The Migratory Bird Treaty Act, which is administered by U.S. Fish and Wildlife Service is the primary statute for migratory bird conservation and protection in the U.S. This statute prohibits take [1] of migratory birds (e.g., waterfowl, shorebirds, birds of prey, songbirds) except when specifically authorized by the Department of the Interior by permit, depredation order, or other vehicle.

The MBTA is a strict liability statute wherein proof of intent is not an element of a taking violation. Most actions that result in a "taking" or possession (permanent or temporary) of a protected species can be a violation. There is no threshold as to the number of birds or other animals taken at wind energy sites beyond which the Service will initiate enforcement action. The regulations implementing the MBTA do not provide for issuance of permits that authorize take of migratory birds that may be killed or injured by activities that are otherwise lawful.

[1] "take" under the MBTA means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect.

1.30 *continued*

The MBTA and BGEPA provide for significant criminal and, in the case of the BGEPA, civil penalties. Thus, it is important for companies and their managers to ensure that their proposed activities have been fully coordinated in advance with the Service.

Executive Order 13186 directs executive departments and agencies to take certain actions to proactively protect and conserve migratory birds. In furtherance of that purpose, the Department of Energy and Service have entered into an MOU is to strengthen migratory bird conservation through enhanced collaboration. The MOU identifies specific areas in which this cooperation can substantially contribute to the conservation and management of migratory birds and their habitats."

1.31 Bald and Golden Eagle Act. In the first sentence of this paragraph, change "Bald Eagles" to "Bald and Golden Eagles." To more directly address the pertinence of this Act, we suggest the following paragraphs in place of the second sentence:

"The BGEPA provides for protection of bald and golden eagles. This law also affords eagles additional protections beyond those provided by the MBTA, in particular, by making it unlawful to disturb eagles. On a very limited basis, the US Fish and Wildlife Service may authorize take of eagles when: thresholds for take in the eagle population have not yet been reached and take is compatible with stable or increasing breeding population; comprehensive measures to avoid and reduce take are developed in coordination with the USFWS, and; any subsequent take is unavoidable. Permits issued by USFWS may require pre- or post-project surveys, and may require that conservation measures be implemented to offset unavoidable take."

1.32 National Wildlife Refuge System Improvement Act. Please add this law to this section of the DEIS.

The National Wildlife Refuge System Improvement Act requires that any activity on Refuge lands be determined as compatible with the Refuge system mission and Refuge purpose(s). Compatibility determinations are made by the USFWS Refuge Managers.

1.33 Pages 89 and 98. The DEIS discusses percentile bands for whooping crane migration, but for most readers this concept is probably obscure. To clarify, we suggest that the DEIS include the whooping crane migration map (provided in Figure 1 attached to these comments).

1.34 Table 3.4-9 on page 97, and the last sentence of the first paragraph on page 98. Page 97 states that whooping cranes have been observed in the project area, thus, change the wording in the table and on page 98 from "may occur" to "occurs."

1.35 The DEIS states that WEST surveys of the proposed project area did not observe whooping cranes. Given the survey design and the species rarity, a simple statement seems to overstate any implication that can reasonably be made. Therefore, clarify the text or explain whether the WEST surveys were designed to detect the extent of whooping crane use of the project area.

Chapter 4, Environmental Consequences.

1.36 The Service requests that a more thorough discussion of the impacts of project development and operation on native prairie and habitat fragmentation. Loss of native prairie and habitat fragmentation are two significant issues affecting wildlife conservation. The DEIS should explain whatever mitigation would be undertaken to address this loss of habitat value. The Environmental consequences should address whether functional loss of habitat is anticipated through avian avoidance of areas where turbines are located, and provide a technical basis for the conclusions.

Best Management Practices; Applicant's Proposed Measures:

1.37 We request that commitments of the agencies and the applicant defined, perhaps in draft plan which would be an Appendix to the EIS. The Service will assist the action agencies and applicant to define a more complete set of conservation measures, to include:

1.38 • To reduce the amount of damage to vegetation on Service grassland easements we will not permit "crane walks" or additional impacts to grassland vegetation other than as-built surveyed roads to install towers.

1.39 • We recommend that the timing of construction activities be specified to occur outside the migratory bird breeding season to the maximum extent possible. This would reduce potential impacts to nesting birds. The breeding season for many of the nesting birds in this area extends from April through July. If construction cannot occur outside of breeding season, we request surveys to identify locations of nests prior to movement of heavy equipment so these areas can be avoided.

1.40 • The scientific literature indicates that birds are more attracted to red lights than white. When turbines require lighting, we request the use of the minimum amount of pilot warning and obstruction avoidance lighting specified by the FAA (see chapter 6 in AC70/7460-1K). Ideally, only white strobe lights should be used at night, and these should be the minimum number, minimum intensity, and the minimum number of flashes per minute allowable by the FAA. Solid red or pulsating red lights should be avoided.

1.41 Page 149. Executive Order 13186 is miss-titled as "Stewardship/Transportation/Infrastructure." The title for this Executive Order is "Responsibilities of Federal Agencies To Protect Migratory Birds."

1.42 Page 150, last paragraph. The text states that, "The Applicants and Agencies have committed to these included BMPs and APMs prior to evaluation of environmental impacts." Page 151 first full paragraph states, "The impact analysis was conducted by evaluation potential impacts with BMPs and APMs in place …"

1.42 continued

The Service appreciates the recognition by the action agencies that these plans are needed, and supports their development. However, the APMs for biological resources actually refers to a range of possible measures that could be implemented during construction, and an Avian and Bat Protection Plan (ABPP) and adaptive management that are yet to be developed.

Because these measures have not been developed or provided for review, it is unclear how the effects were accounted for in the DEIS analysis of impacts; essentially the DEIS assumes a "best case" scenario for protection in the absence of the necessary information on which to base an analysis. NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality. We therefore recommend that the plans be distributed for review in supplemental material, with time for adequate review, before a final DEIS is completed.

1.43 Page 158. Statements here and in Table S.3 and elsewhere in the DEIS indicate that, "With the included BMPs and APMs, impacts to bird species would be less than significant, because the Proposed Project would not affect the biological viability of a local, regional, or national population of bird species …" What is this conclusion based on? Collision mortality, habitat loss, habitat fragmentation, and avoidance behaviors of avian species are described as impacts of this project. Given the range of potential impacts, it appears plausible that detrimental impacts at the local population level could occur. To help meet the NEPA standards for environmental statement analysis, citations or supporting technical information should be included. Estimates of the number of birds that may be killed over the lifetime of the project may be useful (e.g., strikes = 2 (or some range) of birds per turbine/year; 101 turbines; 30 years of operation = 6,060 birds).

1.44 Pages 158 to 181, Section 4.4 Biological Resources. In numerous instances, the DEIS cites "BMPs, Chapter 2, Table 2.2" when referring to protective measures to avoid and minimize wildlife impacts.

The BMPs in Table 2.2 contains no statement of protection for biological resources other than State and federally listed species. The Federal action agencies will probably want to ensure their compliance with the BGEPA and MBTA is addressed in this table.

1.45 Pages 162-163. Citations or other additional scientific or technical information should be provided to support the DEIS' assertions that wildlife impacts are minor and temporary. Without such support, conclusory statements such as "… wildlife species would become accustomed to operation and maintenance activities and would be expected to resume use of either alternative" and "… impacts would not affect the biological viability of a local, regional, or national population of wildlife species" (e.g., page XVI – XVII, 162, 163) are speculative. These general statements do not recognize that reactions of wildlife species could widely differ.

1.46 Page 163. Clarification is needed regarding impacts on bats. At this page the DEIS concludes that, based on results of the bat studies, the project is unlikely to impact bats. Elsewhere, the DEIS states (p. 32) that bat surveys were not currently completed, and that specific information

1.46 *continued*

on bat foraging, breeding, and roosting migration for the Crow Lake area was unknown and that results of bat surveys were not available and incomplete. If the former is correct, the completed reports or supporting technical report and analysis should be cited.

1.47 Page 168. The DEIS states that the Proposed Project could affect the bald eagle due to temporary disturbance or displacement associated with construction, operation and decommissioning activities, minor losses of foraging habitat, and mortality of individuals via collision with turbines. The DEIS also states that the included BMPs and APMs (as listed in Chapter 2, Tables 2.2 and 2.3) would be implemented as part of the Proposed Project to minimize disturbance and displacement effects.

Although not stated, we assume that the DEIS reference to the APMs (Table 2.3) refers to the development of an ABPP. The content of such future plan is not described in the DEIS. The ABPP should be completed for review by action agencies prior to finalizing the EIS.

Also, note that a correction is needed because the BMPs (Table 2.2) in the DEIS contain no conservation measures related to eagles. We agree that there should be, as BGEPA implementation also is a responsibility of the Federal action agencies. The DEIS should state that take of eagles (e.g., by disturbance, strikes at powerlines or turbines, or electrocution) would be a violation of the BGEPA, and that consultation with the Service and mitigation of take will be required.

1.48 Chapter 5, Cumulative Impacts. Information from the South Dakota Office of Economic Development pertaining to existing and proposed windfarm generation, is provided in Figure 2 (attached). This information implies cumulative impacts, in particular for migratory birds populations, at a magnitude much larger than the information discussed in the DEIS. (See our General Comments, herein, on this topic.)

Therefore, we recommend that the potential for direct and indirect impacts on biological resources, in terms of potential for cumulative effects on habitat loss and fragmentation, and bird mortalities be expanded. We ask that the figure on proposed wind development in the DEIS, and that the cumulative effects chapter be bolstered to describe the relative impacts that such development could have.

1.49 The sections of this chapter should explain the measures that Prairie Wind Project will take to avoid cumulative or compensate for those factors, which would otherwise incrementally contribute to cumulative impacts. You may know that the Council on Environmental Quality has issued extensive guidance on the treatment of cumulative impacts in NEPA document in their 1997 publication titled "Considering Cumulative Effects," available at: <http://ceq.hss.doe.gov/publications/cumulative_effects.html>

1.50 Page 229, last full paragraph, last sentence, and page 230. Please explain what Midwest Independent Transmission System Operator is, and how those system facilities are relevant to the discussion of the cumulative impacts analysis. Is this information all inclusive, or are system components and facilities of any other systems of utilities or utility organizations excluded?

1.51 Page 230. Information pertinent to past and present actions in the area appears to be limited to the final paragraph which begins "Existing utility infrastructure …" With consideration for habitat fragmentation of the prairie landscape, we recommend a view of the actions, past and present, that have affected the project area include agricultural practices, roads, transmission lines, houses, etc.

1.52 Page 230, Reasonably Forseeable Future Actions. This section of the DEIS lacks information about other wind farms proposed in the area. For example, the Titan project, which has been proposed immediately north of the Prairie Winds project area, could consist of 2,000 turbines. This and other proposed projects in the planning stages within central South Dakota should be included in this analysis, along with the possibility of other energy development, transmission line establishment, and changes in land use.

1.53 Page 235, last full paragraph. The DEIS states that incremental impacts of the project action on mammals, reptile and amphibian mortality would occur, but then determines that cumulative impacts would not increase. This is illogical given that cumulative impacts are defined as the result of added incremental impacts, i.e., "individually minor but collectively significant actions taking place over a period of time." Clarify the logic of this section.

1.54 Page 236, Section 3.4.2. Biological Resources, second sentence of the first full paragraph. This sentence refers to tower lighting as feature that that has a cumulative impact on birds. This explanation seems odd given that lighting is but one component of the cumulative impact of turbine operation on bird mortality. However, some explanation of the relative impact that tower lighting has as a cause of total turbine mortality, (i.e., the proportional increase in mortality from lighting as it relates to total mortality) would be helpful in terms of measures that could reduce project impacts.

1.55 Page 236, Section 5.4.2. Biological Resources. The first full paragraph on this page indicates that there are numerous existing and proposed transmission and wind generation projects in South Dakota that have or may have similar impacts on birds and bats. It would be helpful to estimate the linear amount of transmission lines and relative number of turbines being proposed.

Revise this section of the DEIS with the information presented in the attached figure, showing approximately 50 wind generation farms throughout South Dakota. When the additional information is considered, the scale of impacts is much greater than the discussion presented in the DEIS. This information implies that potential for landscape impacts, like those of the proposed Prairie Wind project could occur throughout the State. This additional information should be added to the DEIS and reflected in the cumulative impacts discussion.

1.56 Page 236. The last two sentences of the first paragraph DEIS text states that "bird and bat species utilizing the habitats in eastern South Dakota would not likely be incrementally impacted by the Proposed Project." The logic for this conclusion is inadequate, and seems contradicted by the preceding and the following text of the DEIS. It seems that the added increment of cumulative impact to bats and birds would be about the same, resulting in cumulative impacts either more extensively distributed across the landscape, or more intensively distributed in local areas, depending on the project location.

Issues Related to Federally Listed Species

1.57 The DEIS makes the statement that the proposed project "… would not result in take of a protected species beyond that authorized by permit" relative to federally listed species. However, the Federal action agencies have not indicated that they intend to formally consult under Section 7 of the ESA on topeka shiner and piping plover (pages XVIII, XIX). Because Section 7 consultation and permits for take of listed species--other than the whooping crane--are not currently being pursued, it is inappropriate to make reference to a take permit.

1.58 Page 167 indicates that "… it is possible that Piping Plovers could collide with turbines or overhead lines …" The Federal action agencies have submitted a Biological Assessment to the Service with a determination that the project may affect, but is not likely to adversely affect the piping plover. If there is a possibility that the species could collide with turbines or overhead lines, a "may affect" determination would be needed by the federal agencies, and formal consultation should be requested. Direct mortality represents "take" under ESA and a violation of the law without authorization provided by the Section 7 formal consultation process. If the likelihood of piping plover mortality is insignificant, discountable, or entirely beneficial, and would never approach the level of take, formal consultation is not necessary. We recommend further consideration of this species and the possible impacts, if any, which may occur to piping plovers for the final EIS.

1.59 Descriptions of the Winner alternative should be sure to indicate potential impacts to the American burying beetle. Page XIX description of the Winner project indicates that the project "would not affect the biological viability of a local, regional, or national population of mammal, fish, amphibian, reptile or invertebrate species …" It may be premature to make the statement particularly in relation to invertebrates without further analysis of American burying beetle impacts. It is plausible that local population level impacts could occur.

1.60 It would be appropriate to describe any environmental measures designed to offset project impacts under the ESA within the Prairie Wind NEPA document. The Service's South Dakota Ecological Services has previously identified to Western Area Power Administration (WAPA) and Rural Utilities Service (RUS) the opportunity to provide for the conservation of whooping cranes under ESA Section 7(a)(1). Section 7(a)(1) measures would be appropriate because of the proposed project is located within the whooping crane's migrational corridor. (WAPA/RUS previously provided for offsetting measures for whooping crane habitat impacts at the Prairie Winds windpower generation facility in North Dakota.) At page 41, the DEIS mentions that "Appropriate offsetting measures" would be provided to compensate for impacts of habitat avoidance of birds near turbines. Whooping crane habitat occurs on the project area, and whooping cranes tend to avoid areas with human activities. Thus, whooping cranes may experience a loss of habitat at the Prairie Winds site along with other migratory birds. We recommend the "appropriate offsetting measures" be fully defined and described in the final DEIS, and that consideration of whooping crane benefits be a factor in determining the details of these measures. Actions could include, but not be limited to: habitat fee title purchases, purchase of easements, and/or restoration of habitat within South Dakota portion of the migratory corridor.

1.60 *continued*

The Service has developed guidelines (see scanned memo, enclosed, from USFWS Assistant Regional Director, February 4, 2010) intended to minimize collisions of whooping cranes with overhead lines such as transmission lines that may be constructed with the project. These guidelines involve marking new and existing overhead lines to reduce the risk that whooping cranes may collide with these structures.

1.61

Page 83 of the DEIS indicates the likely presence of the Northern leopard frog onsite. The western population of the Northern leopard frog is currently the subject of a 12-month status review by the Service's Arizona Ecological Services Office. This species has been documented as declining in several western areas, but occurs in every county of South Dakota. In response to a petition to list the species, a substantial 90-day finding was published on July 1, 2009 (*Federal Register* 74 (125), pages 31389-31401), and the 12-month review was initiated immediately thereafter. This review process will determine whether the frog warrants listing under the ESA and may be concluded in the summer of 2010. If the Service finds that the listing of this species is "not warranted," no further consideration is necessary. However, a "warranted" or "warranted but precluded" conclusion would elevate the species to candidate or proposed status, and intra-service Section 7 requirements would apply regarding turbine establishment on Service easements in the project area. We recommend early consideration of this species for the Prairie Winds Project.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Mountain-Prairie Region

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Comment Reference Document 1
Attachment 1

FEB 04 2010

Memorandum

To: Field Office Project Leaders, Ecological Services, Region 6
Montana, North Dakota, South Dakota, Nebraska, Kansas

From: Assistant Regional Director, Ecological Services, Region 6

Subject: Region 6 Guidance for Minimizing Effects from Power Line Projects Within the Whooping Crane Migration Corridor

This document is intended to assist Region 6 Ecological Services (ES) biologists in power line (including generation lines, transmission lines, distribution lines, etc.) project evaluation within the whooping crane migration corridor. The guidance contained herein also may be useful in planning by Federal action agencies, consultants, companies, and organizations concerned with impacts to avian resources, such as the Avian Power Line Interaction Committee (APLIC). We encourage action agencies and project proponents to coordinate with their local ES field office early in project development to implement this guidance.

The guidance includes general considerations that may apply to most, but not every, situation within the whooping crane migratory corridor. Additional conservation measures may be considered and/or discretion may be applied by the appropriate ES field office, as applicable. We believe that in most cases the following measures, if implemented and maintained, could reduce the potential effects to the whooping crane to an insignificant and/or discountable level. Where a Federal nexus is lacking, we believe that following these recommendations would reduce the likelihood of a whooping crane being taken and resulting in a violation of Endangered Species Act (ESA) section 9. If non-Federal actions cannot avoid the potential for incidental take, the local ES field office should encourage project proponents to develop a Habitat Conservation Plan and apply for a permit pursuant to ESA section 10(a)(1)(B).

Finally, although this guidance is specific to impacts of power line projects to the whooping crane within the migration corridor, we acknowledge that these guidelines also may benefit other listed and migratory birds.

If you have any questions, please contact Sarena Selbo, Section 7 Coordinator, at (303) 236-4046.

Region 6 Guidance for Minimizing Effects from Power Line Projects Within the Whooping Crane Migration Corridor

1) Project proponents should avoid construction of overhead power lines within 5.0 miles of designated critical habitat and documented high use areas (these locations can be obtained from the local ES field office).

2) To the greatest extent possible, project proponents should bury all new power lines, especially those within 1.0 mile of potentially suitable habitat[1].

3) If it is not economically or technically feasible to bury lines, then we recommend the following conservation measures be implemented:

   a) Within the 95-percent sighting corridor (see attached map)

      i) Project proponents should mark[2] new lines within 1.0 mile of potentially suitable habitat and an equal amount of existing line within 1.0 mile of potentially suitable habitat (preferably within the 75-percent corridor, but at a minimum within the 95-percent corridor) according to the U.S. Fish and Wildlife Service (USFWS) recommendations described in APLIC 1994 (or newer version as updated).

      ii) Project proponents should mark replacement or upgraded lines within 1.0 mile of potentially suitable habitat according to the USFWS recommendations described in APLIC 1994 (or newer version as updated).

   b) Outside the 95-percent sighting corridor within a State's borders

      Project proponents should mark new lines within 1.0 mile of potentially suitable habitat at the discretion of the local ES field office, based on the biological needs of the whooping crane.

   c) Develop compliance monitoring plans

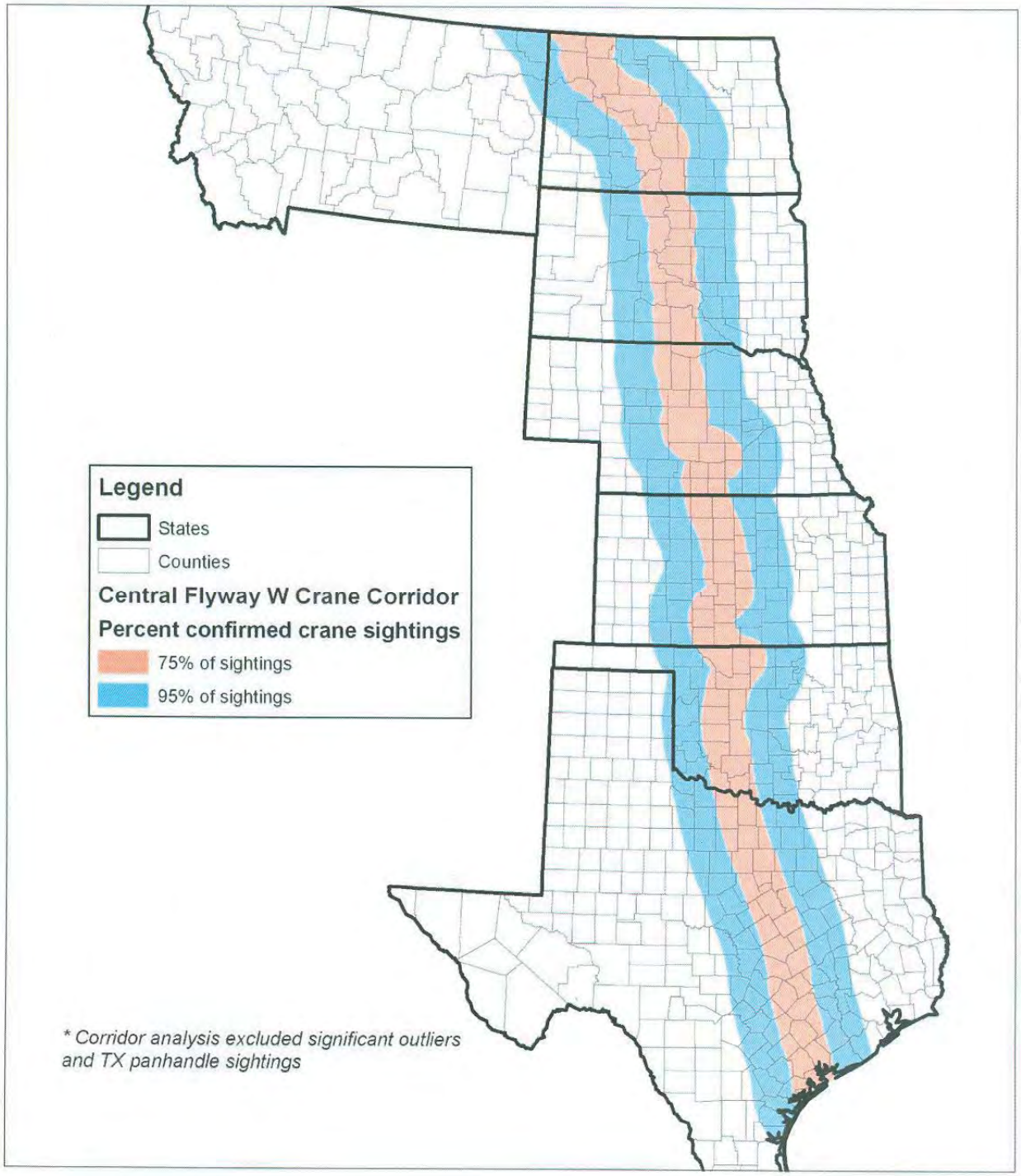
      Field offices should request written confirmation from the project proponent that power lines have been or will be marked and maintained (i.e., did the lines recommended for marking actually get marked? Are the markers being maintained in working condition?)

[1] Potentially suitable migratory stop over habitat for whooping cranes includes wetlands with areas of shallow water without visual obstructions (i.e., high or dense vegetation) (Austin & Richert 2001; Johns et al. 1997; Lingle et al. 1991; Howe 1987) and submerged sandbars in wide, unobstructed river channels that are isolated from human disturbance (Armbruster 1990). Roosting wetlands are often located within 1 mile of grain fields. As this is a broad definition, ES field office biologists should assist action agencies/applicants/companies in determining what constitutes potentially suitable habitat at the local level.

[2] Power lines are cited as the single greatest threat of mortality to fledged whooping cranes. Studies have shown that marking power lines reduces the risk of a line strike by 50 to 80 percent (Yee 2008; Brown & Drewien 1995; Morkill & Anderson 1991). Marking new lines and an equal length of existing line in the migration corridor maintains the baseline condition from this threat.

U.S. Fish & Wildlife Service

United States Central Flyway Whooping Crane Migration Corridor *



Produced for Ecological Services
Grand Island, NE
Current to: 2008
Basemap (Date): U.S. Counties
Meridian:
File:

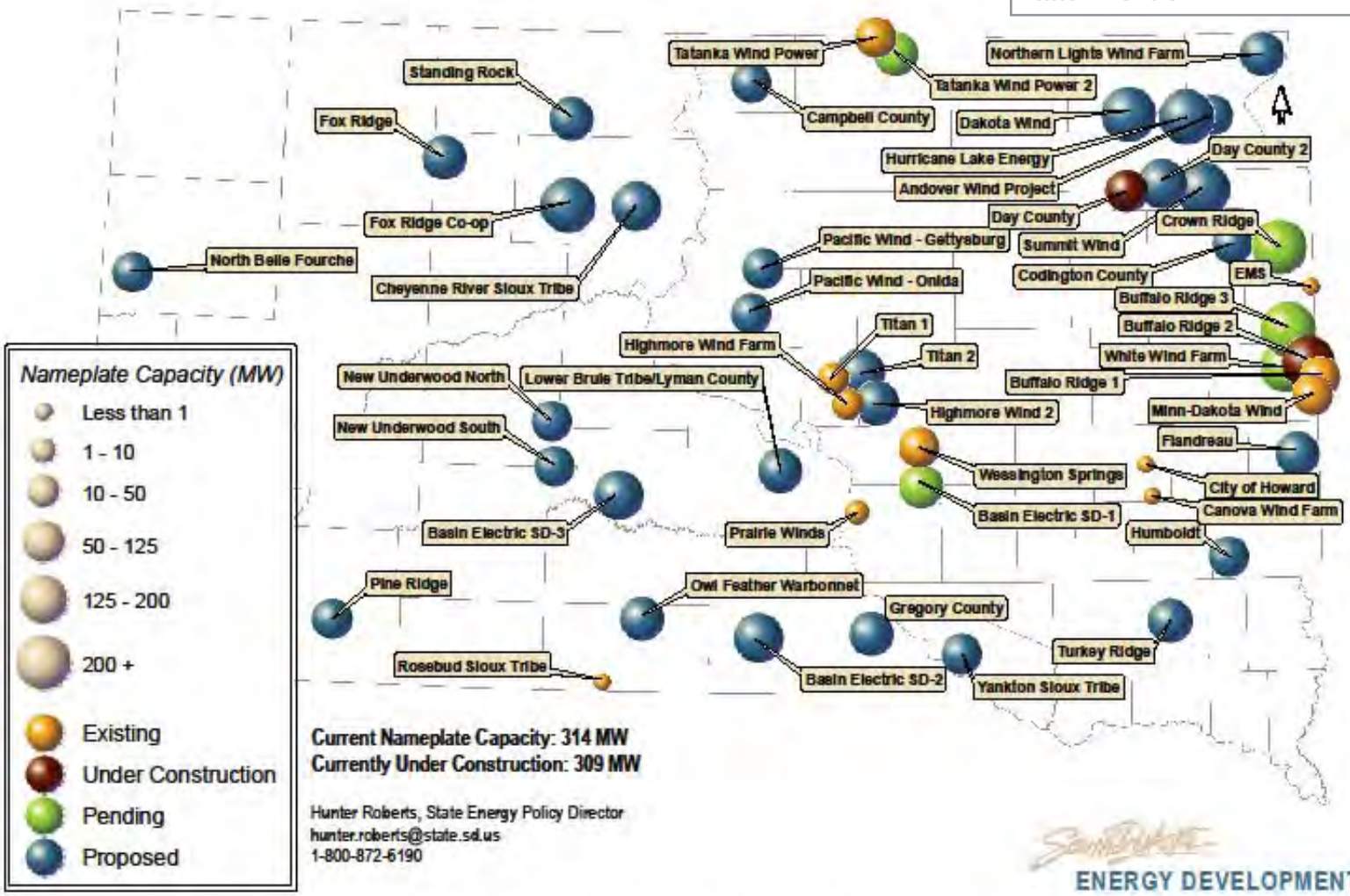
0 70 140 280 420 560 Miles

N
W E
S

South Dakota Wind Energy Development

by Capacity and Status

Comment Reference Document 1
Attachment 3



Please note: this map may not represent every proposed wind farm in SD, it only represents the wind farms that the SD Governor's Office of Economic Development has direct knowledge of.

Feb '10

South Dakota PrairieWinds Project
Draft Environmental Impact Statement

Federal Agency Comments

Bureau of Indian Affairs
Department of the Interior
Environmental Protection Agency
National Park Service

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Great Plains Regional Office
115 Fourth Avenue S.E.
Aberdeen, South Dakota 57401

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
DESCRM
MC-208

FEB 24 2010

Comment Reference Document 2

Liana Reilly
Western Area Power Administration
P.O. Box 281213
Lakewood, Colorado 80228-8213

Dear Ms. Reilly:

This letter is in response to the Proposed South Dakota PrairieWinds Project, Draft Environmental Impact Statement (DEIS). Our office has reviewed the DEIS and have no comments on the proposed action. We have considered the potential for both environmental damage and impacts to archaeological and Native American religious sites on lands held in trust by the Bureau of Indian Affairs, Great Plains Region. You should be aware, however, that Tribes or Tribal members may have lands in fee status near the sites of interest. These lands would not necessarily be in our databases, and the Tribes should be contacted directly to ensure all concerns are recognized. The action considered has the following notification date and project locations:

- January 13, 2010 Proposed South Dakota PrairieWinds Project Draft Environmental Impact Statement

We have no environmental objections to this action, as long as the project complies with all pertinent laws and regulations. Questions regarding environmental opinions and conditions can be addressed to Jeffrey Davis, Environmental Protection Specialist, at .

We also find that the listed action will not affect cultural resources on tribal or individual landholdings for which we are responsible. Methodologies for the treatment of cultural resources now known or yet to be discovered – particularly human remains – must nevertheless utilize the best available science in accordance with provisions of the Native American Graves Protection and Repatriation Act, the Archaeological Resources Protection Act of 1979 (as amended), and all other pertinent legislation and implementing regulations. Archaeological concerns can be addressed to Dr. Carson N. Murdy, Regional Archaeologist, at .

Sincerely,

Deputy Regional Director – Indian Services

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Denver Federal Center, Building 67, Room 118
Post Office Box 25007 (D-108)
Denver, Colorado 80225-0007

March 4, 2010

9043.1
ER 10/57

Comment Reference Document 3

Ms. Liana Reilly
Western Area Power Administration
P.O. Box 281123
Lakewood, Colorado 80228-8213

Dear Ms. Reilly:

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed Prairie Winds Project, a 151.5 megawatt (MW) wind-powered generation facility in Aurora, Brule, Jerauld and Tripp Counties, South Dakota. These comments reflect input from the National Park Service (NPS), the U.S. Geological Survey (USGS), and the U.S. Fish and Wildlife Service (USFWS).

U.S. FISH AND WILDLIFE SERVICE

The proposed project lies within an area significant to natural heritage, as it lies near the prairie pothole waterfowl breeding area of the northern Great Plains. The USFWS, Lake Andes National Wildlife Refuge Complex and the Huron Wetland Management District each manage easements that protect wetlands and grasslands for migratory bird conservation in the project area. The USFWS is also responsible for administration and enforcement of the Migratory Bird Treaty Act and Endangered Species Act.

The USFWS is preparing more detailed input on the DEIS which it will submit directly to Western Area Power Administration (WAPA) and Rural Utilities Services. At this time, however, USFWS suggests clarification or correction for these areas:

<u>Proposed Federal Action.</u>

3.1 → The applicant's and the action agencies' commitments to mitigation for biological resources (Chapter 2, and Tables 2.2 and 2.3) in the DEIS are incomplete at this time. Several of the listed management practices refer to protocols and plans yet to be developed.

3.2 → In addition, several of the management practices are described vaguely as measures that "may" be taken, "could" be taken, or that would be adopted "as appropriate." So, at this time it is unclear what is included in the proposed action. The text also states that "standard BMPs"

3.3 → (Best Management Practices) would be used; however, the references for these standards are not explained (other than as "Western's Construction Standard 13").

3.4 Disclosure of the agencies' and applicant's commitments to the management practices is essential in order to support the analyses of "Environmental Consequences" (Chapter 4), and should be given a high priority. Without them, it is unclear whether the determinations in Chapter 4 are entirely valid. The USFWS will identify management practices that it believes are needed to protect conservation easements in further comments it is currently preparing.

Migratory Bird Treaty Act

3.5 At several places in the DEIS, the descriptions of the Migratory Bird Treaty Act and "take" of migratory birds is incorrect. These errors are substantive because they directly pertain to conclusions about project impacts. The USFWS will provide necessary corrections and clarifications in the detailed comments forthcoming.

3.6 In addition, the USFWS recommends that the DEIS discuss actions that USFWS and WAPA will take to support Executive Order 13186 ("Responsibilities of Federal Agencies to Protect Migratory Birds"). In particular, it will be helpful to address the 2006 Memorandum of Understanding between the Department of Energy and USFWS which outlines an agreement for implementing the Executive Order.

Cumulative Impacts.

3.7 USFWS requests that cumulative impacts (Chapter 5) describe the extent of proposed wind power projects in South Dakota. 3.8 Opportunities to mitigate cumulative impacts to biological resources should also be identified.

3.9 Cumulative impacts are important because of information USFWS has recently obtained from the South Dakota Public Utilities Commission depicting extensive wind-power generating facilities proposed throughout much of the State. We believe that, absent protective measures, the proposed wind power development has the potential to substantially affect landscape conservation of biological resources.

3.10 Please direct any question regarding USFWS's comments to Dave Carlson, Regional Environmental Review Coordinator in the Denver Regional Office, at [redacted].

NATIONAL PARK SERVICE

Visual Resources

The Lewis and Clark National Historic Trail Office of the National Park Service (NPS) submitted scoping comments in May, 2009. In response to the NPS's comments on potential impacts to visual resources, in October, 2009, WAPA consulted with the NPS on a preliminary draft visual assessment. However, WAPA has informed the NPS that the visual resource concerns were inadvertently omitted from the current DEIS, and indicated that this oversight will be addressed by providing NPS with draft language for comment prior to release of the Final EIS. 3.11 The NPS would welcome the opportunity to review or comment on whatever supplemental draft material may be distributed, and suggests that WAPA also consider circulating and filing supplemental material in the same fashion as the draft statement (see 40 CFR § 1502.9).

3.12 The Crow Lake Alternative would be less disruptive of the natural scene along the Lewis and Clark auto tour routes than the Winner Alternative. Under the Crow Lake Alternative, auto tour route travelers east of the Missouri River near Key Observation Points (KOPs) 1 and 2, are likely to have their attention drawn to views of the river valley, away from distant views of potential turbines on the horizon. While the proposed turbines would be visible on the horizon from KOP 3, this distant view is substantially disrupted by Interstate 90 in the foreground.

3.13 Under the Winner Alternative, the turbine array would generally lay in the line of sight of the auto tour route travelers headed south on South Dakota Highway 47, or west on U.S. Highway 18, (See DEIS Figure 4.8-14 KOP 7). In addition, the motion of the turbine blades further attracts the eye, especially when the vertical turbines disrupt the natural horizon line.

Natural Resources

3.14 As presented in the DEIS, the Crow Lake Alternative would have fewer or less severe impacts on vegetation, wildlife, sensitive species and land use, compared to the Winner Alternative. The DEIS states that locations where grouse and prairie chicken gather during mating season (leks) will be avoided when siting turbines and that construction will be outside of breeding seasons. The Crow Lake Alternative would have less severe impacts on leks than the Winner Alternative because of smaller areas of grassland habitats occurring within the site and fewer recorded leks.

Noise

3.15 When addressing low-frequency sound generated by wind turbines, the DEIS states, “The primary effect appears to be annoyance, and has not been proven to result in adverse health impacts.” Although impacts may not be proven at this time, they have not been disproven to our knowledge either. Recent publications, conferences and books, address the newly described “Wind Turbine Syndrome” and its impact on human health. [See Kamperman and James, 2008, *Simple Guidelines for Siting Wind Turbines to Prevent Health Risks*, (available at www.windturbinesyndrome.com)]. Due to the uncertainty of potential human health impacts from turbine noise, turbines should be sited far from residences.

3.16 Please direct any questions regarding NPS’s comments to Dan Wiley, Chief of Resources Stewardship, Lewis and Clark National Historic Trail at [redacted] or at [redacted].

U.S. GEOLOGICAL SURVEY

Specific Comments on Chapter 3, Affected Environment, Section 3.4: Biological Resources:

Page 89. The DEIS text states, "The only self-sustaining wild population [of whooping cranes] is the Aransas-Wood Buffalo National Park population, which migrates between summer nesting grounds in Wood Buffalo National Park in Canada and winter habitat in the coastal marshes of Aransas National Wildlife Refuge in Texas." Please add a reference. Suggested references include USGS 2006, or for the migratory route, Meine and Archibald, 1996.

3.17

Page 90. The DEIS text states, "According to the USGS Breeding Birds of South Dakota Database, there have been no documented occurrences of the Piping Plover in Jerauld, Brule and Aurora counties." The piping plover is a very rare species, so information should be given to

3.18

3.18 continued

explain the survey design (i.e., whether the surveys were designed to detect rare species) and whether appropriate habitat exists for this species. In addition, the DEIS should cite the reference and include information from the most recent USGS Breeding Bird Survey (Sauer et al., 2008), such as species status and trends information, distribution and trend maps, and population change analysis results, not only for the piping plover, but also for other potentially impacted birds species.

Page 89. The DEIS text states, "No Whooping Cranes were observed during the avian use surveys conducted in the Crow Lake Alternative." The whooping crane is a very rare species, so the DEIS should explain whether the avian use surveys were designed with the intent to document the extent of whooping crane use of the area. Without such information, a statement could potentially be misleading. Information on who conducted the surveys, the seasons that the surveys were conducted and the methodology utilized, would improve the assessments presented in the document, and is necessary for review of the DEIS.

3.19

Pages 82-83. The DEIS text states, "Specific information regarding roosting, breeding, foraging and migration is unknown for bats ...". The final EIS should include information on their status and trends from available scientific references, such as the Ellison et al, 2003 reference, and include a discussion of potential impacts on bats.

3.20

Several species could be potentially impacted from proposed activities, including migratory species. The DEIS states (page 89) that "Stopover occurrence during migration [of Federally-listed whooping cranes] is common throughout South Dakota." Notwithstanding the BMPs and Applicants' Proposed Measures of the proposed action, the DEIS should include a section that discusses mitigation actions or a comprehensive summary analysis of proposed mitigation measures for the various proposed alternatives. The DEIS should discuss and disclose proposed mitigation actions for affected terrestrial and aquatic wildlife, and include a table that outlines proposed mitigation measures for the alternatives based on available scientific studies with supporting references and include these in the References section.

3.21

3.22

3.23 Please direct any questions concerning USGS comments to Gary LeCain, Coordinator for Environmental Document Reviews, at [redacted] or at [redacted].

Sincerely,

Robert F. Stewart
Regional Environmental Officer

cc: Mr. Dennis Rankin
Rural Utilities Service, Utilities Program
1400 Independence Avenue SW
Mail Stop 1571
Washington, D.C. 20250-1571

REFERENCES CITED

Ellison, L.E., T.J. O'Shea, M.A. Bogan, A.L. Everette and D.M. Schneider. 2003. Existing data on colonies of bats in the United States: summary and analysis of the U.S. Geological Survey's Bat Population Database. In: O'Shea, T.J., and M.A. Bogan (eds.). Monitoring trends in bat populations of the United States and territories: problems and prospects. Information and Technology Report 2003-0003. U.S. Geological Survey. 127-237 p.

Meine C and Archibald GW. 1996. "Ecology, Status, and Conservation". Chapter 13, Figure 13.16. Available online: http://www.pwrc.usgs.gov/resshow/gee/cranbook/chap13a.pdf . Ellis DH, Gee GF, and Mirande CM, editors. 1996. *Cranes: their biology, husbandry and conservation.* U.S. Department of the Interior, National Biological Service, Washington, D.C. and International Crane Foundation, Baraboo, Wisconsin. 1996. xii, 308 p.

Sauer, J. R., J. E. Hines, and J. Fallon. 2008. The North American Breeding Bird Survey, Results and Analysis 1966 - 2007. Version 5.15.2008. USGS Patuxent Wildlife Research Center, Laurel, MD. Available online: http://www.mbr-pwrc.usgs.gov/bbs/ .

U.S. Geological Survey (USGS). 2006. The Cranes: Status Survey and Conservation Action Plan, Whooping Crane, *Grus americana*. USGS Northern Prairie Wildlife Research Center, available online: http://www.npwrc.usgs.gov/resource/birds/cranes/grusamer.htm . Page last modified August 3, 2006.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08
MAR 02 2010

Ref: 8EPR-N

Comment Reference Document 4

Western Area Power Administration
Attention: Liana Reilly
P.O. Box 281213
Lakewood, CO 80228-8213

Re: Comments on the South Dakota PrairieWinds Project Draft Environmental Impact Statement
CEQ # 20100000

Dear Ms. Reilly:

The U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the Draft Environmental Impact Statement (EIS) for the South Dakota PrairieWinds Project (Project) prepared by the Western Area Power Administration (Western) and Rural Utilities Service (RUS). Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. It is EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project, which includes a rating of the environmental impact of the proposed action and the adequacy of the NEPA document.

4.1

In accordance with our policies and procedures for reviews under NEPA and Section 309 of the Clean Air Act, EPA has rated this Draft EIS as "Environmental Concerns - Insufficient Information" (EC-2). Our environmental concerns are due to potential for wetland impacts, surface disturbance, sediment runoff, and cumulative impacts to water resources and wildlife habitat. Additional information regarding air quality impacts, water resources, and wetlands in the project area is needed to ensure that environmental effects are properly evaluated in accordance with NEPA. A copy of EPA's rating criteria is attached.

PROJECT BACKGROUND

PrairieWinds SD1, Incorporated, a wholly owned subsidiary of Basin Electric Power Cooperative (Basin Electric), proposes to construct a new 151.1-megawatt nameplate capacity wind energy facility in south-central South Dakota. Two alternative locations are proposed: the Crow Lake Alternative project area covers 37,000 acres located 15 miles north of White Lake, SD, and the Winner Alternative project area covers 83,000 acres located 8 miles south of Winner, SD. Each alternative includes 101 turbines, 30-40 miles of new access road, 30-40

miles of upgraded existing road, crane walks, 60 miles of underground collector system, and 10-11 miles of new transmission line.

EPA CONCERNS

4.2 EPA commends Basin Electric for making wind-powered electricity a part of their energy portfolio. We also thank Western and RUS for recognizing that, while the use of renewable rather than conventional energy technologies can be a great benefit on the global or regional scale, effects to the local environment must still be carefully considered. An explanation of our primary concerns with the project is contained in the following paragraphs. Our primary concerns include surface disturbance, impacts to wetlands and other water resources, and cumulative impacts. Additional information pertaining to the project is found in the enclosed Detailed Comments.

Surface Disturbance

4.3 EPA is concerned with the amount of surface disturbance estimated for the proposed project. Although the majority of the surface disturbance associated with the proposed project, and wind projects in general, is temporary, this disturbance should be minimized to the maximum extent practicable. Temporary surface disturbances create potential for long-term environmental impacts including erosion, invasive plant species growth, and loss of habitat. We recommend Western and RUS consider ways to reduce temporary surface disturbance from the proposed project, and require of all contractors that surface disturbance be reduced to the maximum extent practicable. 4.4 We particularly note that crane walks present an opportunity for significant disturbance, creating 40-foot wide pathways. For the Crow Lake alternative, temporary disturbance due to crane walks is greater than that of access roads. EPA recommends Western and RUS look for ways to maximize use of access roads for crane movement, and minimize cross-country crane walks, after final turbine layout is determined. Minimization of disturbance due to crane walks should be specifically required of contractors.

Water Quality

The Draft EIS identifies organic loading as a concern for both proposed project alternatives, signified by the listed impairments for total suspended solids (TSS) of streams and water bodies in the project area. 4.5 EPA is concerned that surface disturbances associated with project construction have the potential to result in increased sediment loading. We recommend that the Stormwater Pollution Prevention Plan (SWPPP) be included as an appendix to the Final EIS. Additionally, the Final EIS should disclose who will be responsible for implementing the SWPPP. 4.6 Runoff of sediments is a potential concern beyond the construction phase. Western and RUS should develop an operational plan for finding and solving runoff problems, such as from erosion of an access road or turbine pad.

Wetland Impacts

4.7 Additional information regarding wetland locations and avoidance measures needs to be included in the EIS to support the conclusion in the Draft that "impacts would be less than significant." A wetland delineation for the proposed project has not yet been completed, nor has a permit been sought under Section 404 of the Clean Water Act. 4.8 We recommend that a jurisdictional determination be obtained from the U.S. Army Corps of Engineers (USACE) prior

4.8 continued

to completion of the Final EIS. We note that USACE can only permit the least environmentally damaging practicable alternative (LEDPA) in accordance with 40 CFR Part 230, the Section 404(b)(1) Guidelines. Further, we note that Executive Order 11990 directs Federal Agencies to "take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency's responsibilities" and agencies are further directed, to the extent permitted by law, to "avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds (1) that there is no practicable alternative to such construction, and (2) that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use…." In addition, national wetlands policy has established an interim goal of "No Overall Net Loss of the Nation's Remaining Wetlands" and a long-term goal of increasing quantity/quality of the Nation's wetlands resource base ("Presidential Wetland Policy of 1993").

4.9 In accordance with the intent of the order and national policy, EPA suggests a mitigation commitment that indirect draining of, or direct disturbance of, all wetland areas will be avoided if at all possible.

The Draft EIS provides estimated permanent and temporary wetland impacts for each Alternative, but does not indicate how these estimated acreages were calculated. 4.10 Please include further detail on how permanent and temporary impacts are defined and quantified for the project in the Final EIS. These impacts should take into account specific proposed locations for turbine pads, access roads, and communication lines as much as possible, rather than be generalized estimates.

Cumulative Impacts

4.11 In accordance with CEQ regulations defining cumulative effects, we recommend that the discussion of past, present, and reasonably foreseeable future actions in the Draft EIS be expanded to include a wider range of actions that have occurred or are likely to occur in the project area. This includes analysis and disclosure of the impacts of activities on private adjacent land irrespective of what agency/entity has decision-making authority or analysis responsibility. For example, cumulative impacts to resources of concern for the proposed project may be contributed to by agriculture or construction, maintenance, and use of roads. 4.12 In addition, cumulative effects should be addressed for all resource categories for which the project has potential to directly or indirectly impact. EPA believes the project has potential to impact water resources, including water quality and wetlands, and that these resources should be added to the cumulative impacts section of the Final EIS.

Additional Project Area

At the February 11, 2010, interagency meeting on the Draft EIS, we were informed that, since completion of the document, South Dakota Wind Partners, LLC, a locally owned cooperative, had approached Western with a request to add seven turbines inside the Crow Lake Alternative area. The proposed location for these additional turbines is in the northwest corner of the proposed Crow Lake Alternative project area. A 5-6 mile underground collector line would connect the South Dakota Wind Partners' turbines to the proposed collector substation. Operations and maintenance would be provided by Basin Electric. This additional proposed action will be included in the Final EIS for PrairieWinds.

4.13 → Although ten additional turbine locations were analyzed in the Draft EIS, in case of future project expansion or need for an alternate turbine site, EPA does not feel that this analysis adequately covers the addition of the South Dakota Wind Partners' proposed action. There was no analysis for turbines, access roads, collector lines, etc. in the portion of the project area proposed for this addition. The Final EIS should include a location-specific analysis of impacts to all resources of concern resulting from the proposed addition. This analysis may be added as a separate subsection of the document or included in the Crow Lake Alternative analysis.

4.14 →

Thank you for the opportunity to comment on this Draft EIS. We hope that our comments regarding potential for wetland impacts, surface disturbance, sediment runoff, and cumulative impacts will be of value to Western and RUS in preparing the Final EIS. We also look forward to additional information regarding air quality, water quality, and wetlands in the project area. If you have any questions on the comments provided in this letter, please contact me at [redacted], or you may contact Molly Brodin of my staff at [redacted].

4.15 →

Sincerely,

Larry Svoboda
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

Enclosures: Detailed Comments
EPA's Rating System Criteria

cc: Dennis Rankin, Rural Utilities Service

EPA'S DETAILED COMMENTS FOR THE SOUTH DAKOTA PRAIRIEWINDS PROJECT DRAFT EIS

Wetland Impacts

4.16 Under section 4.2.2 – Significance Criteria, the final bullet point should be expanded to include both jurisdictional and non-jurisdictional wetlands. 4.17 We also recommend that the wetlands mitigation efforts be more fully defined in the Final EIS. For example, the document could identify potential locations for mitigating non-jurisdictional wetland impacts or clarify whether the mitigation will occur in one location or throughout the project area. There may be opportunities in this area for Basin Electric to mitigate wetland losses in the same area by returning nearby historic wetlands that have been farmed to functioning wetlands. Wetland mitigation efforts should include the upland area associated with wetland hydrology and habitat values. EPA notes that, in accordance with the CWA Section 404(b)(1) Guidelines, wetland impacts should be avoided and minimized, to the maximum extent practicable, and then unavoidable wetland impacts should be compensated for through wetland restoration, creation, or enhancement.

4.18 Additional information regarding the location of wetlands in the project area should be included in the Final EIS. If project timing does not permit a field delineation to be completed prior to release of the Final EIS (such as if the project area is still snow covered) the document should include National Wetlands Inventory (NWI) maps. Contractors should be required to avoid all wetlands included in the NWI maps and any field delineated wetlands. We recommend that Basin Electric coordinate in the field during project construction with USACE, in the case of jurisdictional wetlands, or U.S. Fish and Wildlife Service (FWS), in the case of non-jurisdictional wetlands, to ensure that wetland impacts are avoided to the maximum extent practicable.

Water Resources

4.19 EPA appreciates figures 3.2-1 and 3.2-2, depicting the major water bodies and subbasins in the project area for the Crow Lake and Winner Alternatives, respectively. However, due to the scale of the maps, it is difficult to anticipate the likelihood of direct impacts due to runoff from roads, turbine pads, etc. We recommend the Final EIS include a map at project-area scale for each of the proposed alternatives, including all anticipated areas of proposed surface disturbance as well as all known water bodies. Addition of these figures will inform a better understanding of potential for runoff impacts to surface water resources.

Air Quality

As was noted in EPA's scoping comments for the Project (sent on May 14, 2009), dust particulates from construction and ongoing operations on roadways are important concerns. Airborne dust may not only be a visual nuisance, but can be potentially dangerous to asthma sufferers. Additionally, sedimentation run-off can severely impact the aquatic environment, and blowing dust may impact the flora and fauna of the area. 4.20 It is unclear from the Draft EIS how Western and RUS determined that near-field particulate matter emissions from the Project would be within National Ambient Air Quality Standards (NAAQS). The Final EIS should include a quantification of emissions and determination of potential air quality impacts of the project. A

4.21 specific list of Best Management Practices (BMPs) that will be employed to minimize fugitive dust emissions should be provided in the Final EIS; this list should provide greater detail than what is currently presented in Table 2.2 and Table 2.3.

4.22 EPA recommends that dust control measures be required of contractors for the Project. Effective dust control may include additional road treatment, such as dust suppression agents. Reduced vehicle speeds in the project area may also be effective in mitigating particulate matter emissions. 4.23 EPA does not agree with the conclusion in the Draft EIS that dust impacts would be restricted to short periods during construction or decommissioning. Access roads will remain open and carry operations and maintenance traffic throughout the life of the project, and specific dust control mitigation strategies should be part of the operating requirements to minimize air quality impacts.

Climate Change

We thank Western and RUS for quantifying the estimated greenhouse gas emission reduction associated with the proposed project relative to South Dakota's average emissions from fossil fueled generating stations. Further, EPA is pleased to see Western's plans to minimize leaks of sulfur hexafluoride (SF_6) at Substations used for interconnection of the proposed Project. 4.24 We recommend providing additional detail on specific mitigation and monitoring measures to be employed to ensure complete documentation of SF_6 emission reduction efforts. This detail could be provided in a SF_6 Handling and Use Policy as an appendix to the Final EIS. If any SF_6 will be used in facilities operated and maintained by the project proponent (i.e., collector substation or transmission line), discussion of Basin Electric's plans to minimize leaks of SF_6 should be included in the Final EIS. 4.25 Additionally, we recommend Basin Electric join EPA's SF_6 Emission Reduction Partnership for Electric Power Systems. This partnership is a collaborative effort between EPA and the electric power industry to identify and implement cost-effective solutions to reduce emissions.

Surface Disturbance

4.26 EPA is concerned with the amount of temporary surface disturbance estimated for the proposed project, which creates potential for long-term environmental impacts including erosion, invasive plant species growth, and loss of habitat. Permanent surface disturbance also presents a potential environmental impact to the project area. In addition to the best management practices identified in Table 2.2, we recommend that permanent surface disturbance associated with access roads be reduced to the maximum extent practicable, by utilizing transportation planning to establish proper road location and design, and using primitive two-track roads where possible.

4.27 We are particularly alarmed by the number of temporary acres of disturbance associated with access roads for the Winner alternative. The temporary disturbance of 1,710 acres for access roads in this alternative is almost 7 times the permanent disturbance. By contrast, the temporary disturbance for access roads in the Crow Lake alternative is only 2 times the permanent impacts. If the figure of 1,710 acres is correct, please explain in the Final EIS what factors are resulting in the need for such significant temporary disturbance, and consider ways to minimize this disturbance.

EPA is pleased to see inclusion of provisions to reduce introduction of noxious weed seed during Project construction in the Draft EIS. We recommend the Final EIS include further detail regarding follow-up monitoring and control strategies. Specifically, please define who will implement post-construction noxious weed control and how it will be financed. Western and RUS may want to consider including a Weed Management Plan as an appendix to the Final EIS. This plan should identify the noxious weeds and exotic plants likely to occur in the project area and detail a strategy for prevention, early detection of invasion, and control procedures for each species.

4.28

4.29

Cumulative Impacts

As identified in the Draft EIS, the proposed Project "would likely result in avian and bat mortalities, mainly as a result of habitat fragmentation, and potential collisions with new overhead transmission lines and wind turbines." Further, the document notes that the presence of turbines along with operation and maintenance activities could result in avoidance and abandonment of habitats in the project area. These potential project impacts, when added to all other past, present, and reasonably foreseeable activities in the project area, are of particular concern for Special Status species including Whooping Crane, Greater Prairie Chicken, and Sharp-tailed Grouse. We recommend that the cumulative impacts analysis for these species be expanded to discuss in greater detail how past activities have affected species habitat, and how the proposed project is likely to contribute to this impact. This discussion should include the relevant Region of Influence (ROI) for each species and should attempt to quantify the extent to which suitable habitat has already been affected as well as the incremental additional impact predicted to result from the proposed Project.

4.30

National Historic Preservation Act

EPA commends Western's commitment to identifying and avoiding adverse impacts on historic properties. We have the following concerns and recommendations:

4.31 1. We could find no rationale for the selection of federally recognized tribes to receive the consultation letter at Appendix F. We recommend that the Oglala Sioux tribe be included in the process, and that the Final EIS include an explanation of how Western chose which tribes would be consulted.

4.32 2. We recommend that the Final EIS include a separate summary of the National Historic Preservation Act (NHPA) Section 106 consultation process, including the steps completed to date and those remaining to be accomplished.

4.33 3. Section 5.4.3 – Cultural Resources states that a memorandum of agreement (MOA) is being developed to ensure compliance with Section 106 requirements. Because the MOA has not yet been developed, it should be made publicly available as soon as it is signed, and should be included in the Final EIS.

4.34 4. The sixth row in Table 1.1, regarding NHPA Section 106, should list Tribes in addition to Western, RUS, and the State Historic Preservation Office.

Endangered Species Act

The biological assessment (BA) addressing potential impacts to Federally-listed species was not completed prior to release of the Draft EIS. The Draft EIS (p. 88) states, "More detailed information (i.e. legal status, species ecology, local distribution) from the BA will be presented in the FEIS". EPA recommends that further information from the BA be included in the Final EIS. Beyond additional information on the species, we recommend Western include specific information on potential impacts to listed species and critical habitat, any mitigation measures, and other relevant information based on further assessment and communications with FWS. We request that the BA and FWS response be included in the Final EIS.

4.35

Western System Modifications

The Draft EIS discusses potential need for modification to Western's transmission system to accommodate the proposed project. However, details of these modifications, including environmental impacts, are not provided because all transmission system studies have not been completed. EPA recognizes the difficulty of quantifying these impacts at the Draft EIS stage for the Project, however, we believe that these modifications should be considered connected actions to the proposed project. Any additional details for the connected system modifications available should be provided in the Final EIS. If there is not enough information yet known to quantify environmental impacts, a qualitative approximation should be provided.

4.36

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new, reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

Comment Reference Document 5

Preliminary Draft EIS for the South Dakota Prairie Winds Project
LECL reviewed Sections 3.8 and 4.8 on visual resources and has the following comments:

> *Portions of I-90 and SR50 are included in the Lewis and Clark Trail Driving Route (LCTDR), part of the Lewis and Clark National Historic Trail (NHT). The LCTDR is a network of roads that generally tracks the Lewis and Clark NHT along the Missouri River and provides vistas as well as historic markers. [page 3-2]*

5.1 Public roads marked to commemorate the Lewis and Clark Expedition route are more commonly referred to as the Lewis and Clark National Historic Trail auto tour route.

Designation of Key Observation Points (KOPs):

5.2 The draft assesses visual impacts at sites where followers of Lewis and Clark National Historic Trail (the Trail) would likely be viewing static scenes. However, the visual assessment should give equal consideration to visual impacts along the rest of the historic trail and auto tour route. Even though duration of view at any single point may be brief, the open, relatively level landscapes of the potential project areas provide persistent views of distant scenes while travelling. Views of wind turbines, even in the background may degrade the experience.

5.3 The NPS is particularly concerned about cumulative impacts from multiple wind power projects on visual resources of the Trail. A thorough cumulative impacts analysis should be provided in the EIS that considers existing and reasonably foreseeable future wind development along the Trail.

Simulation of impacts:

5.4 The methods used for the visual analysis are unclear. There are different visual simulation models available that vary in accuracy. Additional information on the computer methods used to develop the visual simulations is needed as well as the number, height and placement of the turbines modeled in order to evaluate the validity of conclusions reached.

We appreciate the consideration given to visual impacts along the Lewis and Clark Trail, including the auto tour route and the opportunity to provide comment on the draft. Please direct

5.5 any questions to Natural Resource Specialist, Suzanne Gucciardo at 402-661-1874 or Suzanne_Gucciardo@nps.gov.

South Dakota PrairieWinds Project
Draft Environmental Impact Statement

State of South Dakota Agency Comments

Department of Natural Resources (2 Submittals)
South Dakota Game, Fish & Parks

Comment Reference Document 6

From: <Matt.Hicks@state.sd.us>
To: <sdprairiewinds@wapa.gov>
CC: <Matt.Hicks@state.sd.us>
Date: 3/1/2010 2:59 PM
Subject: Prairie Winds Wind Energy Project
Attachments: 4850_001.pdf; SiteData11.xls

Ms. Reilly,

Attached is the SDENR Ground Water Quality Environmental Assessment for the Prairie Winds Wind Energy Project. A hard copy will follow in the mail. If you have any questions, please feel free to contact me.

Thanks,

Matt Hicks, Senior Hydrologist

South Dakota DENR

523 East Capitol

Pierre, SD 57501

Phone: 605-773-3296

Fax: 605-773-6035

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 1, 2010

Ms. Liana Reilly
Western Area Power Administration
PO Box 281213
Lakewood, CO 80228-8213

Re: Prairie Winds SD1, Inc. 151.5 Megawatt Wind Energy Facility

Dear Ms. Reilly:

The Ground Water Quality Program of the South Dakota Department of Environment and Natural Resources (Department) has reviewed the above-referenced project for potential
6.1 impacts to ground water quality. Based on the information submitted in your letter to John Miller, dated January 13, 2010, the Department does not anticipate adverse impacts to
6.2 ground water quality by this project. However, portions of the proposed project at the Winner site encompass some Zone "A" drinking water source areas.

6.3 There have been numerous petroleum and other chemical releases throughout the state. Of the releases reported to the Department, we have identified a number of release cases potentially in the vicinity of the two proposed locations of your project. A list of these releases is included with this letter.

6.4 However, the locational information provided to us regarding releases is sometimes inaccurate or incomplete. If you would like to do more research regarding releases, information on releases reported in South Dakota may be obtained at the following website:

www.sddenr.net/env_events/

6.5 In the event that contamination is encountered or spilled during construction activities, Prairie Winds SD1, Inc., or its designated representative, must report the contamination to the Department at (605) 773-3296.

6.6 Any contaminated soil encountered must be temporarily stockpiled and sampled to determine disposal requirements, and the materials of construction through the contaminated area should be evaluated for chemical compatibility and adjusted accordingly.

6.7 Thank you for providing the Department the opportunity to comment on this project. If you have any questions regarding the information provided, please contact me at the number listed below.

Sincerely,

Matt Hicks
Senior Hydrologist
Ground Water Quality Program
South Dakota DENR
Telephone: 605-773-5337

Enclosure:

id	site_name	city	street	material	status	r1
86.051	Gary Bessey Farm	Wessington S	Gary Bessey Farm (Anina Township)	Pesticide	C	JA
90.208	Pierre Farmers Elevator	White Lake	13 Mi. N. Of White Lake	Diesel Fuel	C	KK
94.311	Dod/fud Mitchell Precision Bombing Ra	Mitchell	Mitchell Precision Bombing Range #3	Black Powder Spottin	O	BW
94003	U.S. West Radio Tower (SDT64393)	Winner	0.66 mi. south of Winner		C	JA
96008	Midco Tower # 14	White Lake	10 miles North and 2 miles West		C	RC
2001271	Abandoned Tank Project - Thomas Fa	Kimball	36586 245th Street		C	KM

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 25, 2010

Comment Reference Document 7

Liana Reilly
Western Area Power Administration
PO Box 281213
Lakewood, CO 80228-8213

Dear Ms. Reilly:

The South Dakota Department of Environment and Natural Resources (DENR) reviewed the South Dakota Prairie Winds Draft Environmental Impact Statement. Based on the general information provided the DENR has the following comments:

7.1 7.2 1. The department does not anticipate any adverse impacts to drinking waters of the state. The Drinking Water Program has no objections to this project. However, it is requested that the rural water provider in the area be notified to ensure that the cable installations do not adversely impact the existing water distribution systems that may be present.

7.3 2. Based on the information provided, the department does not anticipate any adverse impacts to the air quality of the state. The Air Quality Program has no objections to this project.

7.4 3. A Surface Water Discharge (SWD) permit may be required if any construction dewatering should occur. Please contact this office for more information.

7.5 4. At a minimum and regardless of project size, appropriate erosion and sediment control measures must be installed to control the discharge of pollutants from the construction site. Any construction activity that disturbs an area of one or more acres of land must have authorization under the General Permit for Storm Water Discharges Associated with Construction Activities. Contact the Department of Environment and Natural Resources for 7.6 additional information or guidance at 1-800-SDSTORM (737-8676) or www.state.sd.us/denr/des/surfacewater/stormwater.htm.

7.7 5. Surface water bodies are considered waters of the state and are protected under the South Dakota Surface Water Quality Standards. The discharge of pollutants from any source, including indiscriminate use of fill material, may not cause destruction or impairment except where authorized under Section 404 of the Federal Water Pollution Control Act. Please 7.8 contact the U.S. Army Corps of Engineers concerning this permit.

7.9 6. The Waste Management Program does not anticipate any adverse impacts. All waste material must be managed according to our solid waste requirements. Please contact the
7.10 Waste Management Program if you have any questions on asbestos or solid waste disposal requirements at

Thank you for the submitting this information, however, the DENR requests the opportunity to review this project again when the information becomes more specific. If you have any questions
7.11 concerning these comments, please contact me at

Sincerely,

John Miller
Environmental Program Scientist
Surface Water Quality Program

cc: Brad Schultz, Air Quality Program
Mark Mayer, Drinking Water Program
Vonni Kallemeyn, Waste Management Program

South Dakota
Wildlife Division
Department of Game, Fish and Parks

Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

March 1, 2010

Comment Reference Document 8

Ms. Liana Reilly
Western Power Administration
P. O. Box 281213
Lakewood, CO 80228-8213

Dear Liana Reilly,

This is in response to your invitation to review the Draft Environmental Impact Statement (DEIS) that attempts to address the relevant issues and alternatives to the proposed South Dakota Prairie Winds wind power project. The Prairie Winds project will be approximately 151 MW of nameplate capacity wind power a location in Tripp County, near Winner, SD or at a location in Jerauld, Aurora, and Brule counties, near Wessington Springs, SD.

8.1 Please note that I have reviewed information relevant to wildlife species and their associated habitats for the proposed Crow Lake site alternative only. I provide a specific reference (page, table, or figure number) for each of my comments, questions, or suggestions.

8.2 **Page 70-.** South Dakota Codified Law 34A-2-1 refers to water pollution and maintaining integrity of the waters of the state and to coordinate with others to maintain it. South Dakota Codified Law 38-7-1 refers to soil conservation. Both of these laws are inappropriate to cite as it pertains to the Wildlife Diversity Program. If you prefer to cite laws that the support the need for our Wildlife Diversity Program, I'd suggest SDCL 34A-8-6, and 34A-8-2.

8.3 A more appropriate description of the South Dakota Natural Heritage Program, which is housed within the Wildlife Division of South Dakota Game, Fish, and Parks, is a program that is part of an international network of biological inventories that collect and manage data, develop products, tools, and services to meet conservation needs.

8.4 In the second paragraph of page 70, replace "covers" animals and plants with "includes" animals and plants.

8.5 8.6 **Figure 3.4-2 and 3.4-4-.** To clarify the Natural Heritage Program data for the reader who is not familiar with these data, I would recommend including the last observed date for each record in these figures. This information was included with the Natural Heritage Database report provided on January 12, 2009 for the Crow Lake Site and December 20, 2008 for the Tripp County Site.

8.7 **Page 72-.** Please note that an area that has been plowed at one time, but has reverted back to prairie (i.e. go-back land) still has value to grassland wildlife.

8.8 **Table C-1-.** The correct spelling is White-rumped "S"andpiper. Note that spring peepers
8.9 have not been documented in SD. This may have been a misidentification.

8.10 8.11 **Table C-2-.** The correct spelling is Upland "S"andpiper, "S"harp-tailed Grouse, and *Spiza "a"mericana*.

8.12 It appears that Horned Larks are quite abundant during migration. Be watchful for
8.13 potential direct impacts to this species during post-construction monitoring.

Table C-3-. Upland Sandpipers, Chestnut-collared longspurs, and Grasshopper Sparrows appear "abundant" in the project area. Be watchful for potential indirect and
8.14 direct impacts to these species during post-construction monitoring.

8.15 McCown's Longspur has not been a documented breeding species in SD since 1910. This record was in the northwestern part of the state in Harding County. The species is currently considered a rare migrant. The last indication of breeding status (not confirmed, but probable) was in 1993 and was based on bird behavior, again located in the northwestern portion of the state.

8.16 **Page 84-.** The DEIS lists mentions there are few intact native grasslands in the area. This statement is unclear and potentially misleading. Over 60% of the proposed project area is in mixed-prairie (Table 3.4-1). Comparatively, this area may have some of the last remaining native grasslands that are left.

8.17 **Page 91-.** Bald eagles breed along the Missouri, James, Big Sioux, Grand, Moreau, and Belle Fourche rivers. This species is also known to breed in the Black Hills. New
8.18 nests are continually being discovered. Please report any new nests.

8.19 **Table 3.4-8-.** Our Department appreciates the attention given to the Species of Greatest Conservation Need and the Level 1 bird species.

8.20 McCown's Longspurs is considered a rare breeder in northwestern South Dakota and a breeding record in the Crow Lake project area would be considered quite rare.

8.21 **Page 93-96-.** Are you referencing the bird species information from Terry Sohl's website or the 1992 Breeding Bird Atlas? The Breeding Bird Atlas reference would be more appropriate.

8.22 **Page 96-.** McCown's Longspur is not a summer resident throughout South Dakota.

8.23 **Page 158-.** Listing of the criteria used to designate what is significant and what is not was helpful in reviewing the document.

8.24 The loss of or impacts to native prairie should be considered significant.

8.25 What are your plans to mitigate any significant impacts?

8.26 How is viability measured?

8.27 It is unclear what the intended definition of policy is under "Significance Criteria" (#2 under Wildlife). Is this the same as a state statute? I would suggest saying law and policy as there is a state threatened and endangered species law and laws to protect game species.

8.28 **Page 159-.** Please note that "take" for state-listed species is only issued for scientific, zoological or educational purposes or for the propagation of a species for its continued survival.

8.29 **Page 161-.** Much of the project area is not tilled for agriculture. The project area is 30% cropland and over 60% grassland. Put turbines, roads, and infrastructure in cropland as much as feasible.

8.30 **Page 162-.** One of the main concerns regarding habitat impacts is not direct loss, but the indirect impacts to habitat reflected in behavioral avoidance and habitat degradation.

8.31 Unless a standardized method of categorizing or quantifying grassland quality was performed and studies were conducted to determine the survival and productivity of the wildlife community in the proposed project area, the statement that "the overall habitat quality has been reduced by grazing..." can not be made. Grazed grasslands, especially those that have no cropping history provide needed habitat for grassland wildlife.

8.32 The direct loss of less than 0.4% habitat is not a major issue. Indirect impacts to habitats needed by area-sensitive grassland wildlife are the primary habitat issue.

8.33 Population level effects on small mammals due to habitat loss "are expected to" be minimal.

8.34 **Page 162-163-.** I would expect that fragmentation of forested habitat, not grassland habitat, would negatively impact bat species. Please elaborate.

8.35 **Page 163-.** Foraging habitat fragmentation would occur if the habitat impacted is shrubby in wetland areas.

8.36 Look at page 319 of Kunz et al. (2007). Note this is the best available information on the topic. I don't think you can say that there are no population impacts to bats from wind turbine strikes in South Dakota, we just don't know.

8.37 White-nose syndrome is found in caves; it doesn't apply to the Crow Lake area.

8.38 Migratory bats are hardest hit by wind turbines. Surveys in 2009 targeted the summer and partial fall seasons (May-Sept), not the peak migratory periods.

8.39 Please note that the Northern leopard is under consideration by the U. S. Fish and Wildlife Service for listing under the Endangered Species Act.

8.40 **Page 165-.** Please provide a copy of the post-construction monitoring reports to our agency.

8.41 Are there plans for monitoring post-construction bat use?

8.42 **Page 168-.** Our agency is currently reviewing a draft survey and monitoring document that will help address some of our concerns regarding prairie grouse species.

The SDGFP appreciates the opportunity to provide comments. If you have any
8.43 questions on the above comments, please feel free to contact me at [redacted] or [redacted]

Regards,

Silka Kempema

Silka L. F. Kempema
Terrestrial Wildlife Biologist

Literature Cited

Kunz, T. H., E. B. Arnett, W. P. Erickson, A. R. Hoar, G. D. Johnson, R. P. Larkin, M. D. Strickland, R. W. Thresher, and M. D. Tuttle. 2007. Ecological impacts of wind energy development on bats: Questions, research needs, and hypothesis. Frontiers in Ecology and the Environment 5:315-324.

South Dakota PrairieWinds Project
Draft Environmental Impact Statement

Native American Tribes Comments

Desrosiers, Diane (Sisseton-Wahpeton Oyate) (2 Submittals)
Gravatt, Lana (Yankton Sioux Tribe)
Jones, Cora (Santee Sioux Tribe)
Mentz, Tim (Standing Rock Sioux Tribe)
Russell Bear Eagle (Rosebud Sioux Tribe)
Waste' Win Young (Standing Rock Sioux Tribe) (2 Submittals)
Youpee Young Eagle (Standing Rock Sioux Tribe, Fort Peck, & Yankton Sioux Tribe)

Sisseton-Wahpeton Oyate

LAKE TRAVERSE RESERVATION
P.O. Box 509
100 Veterans Memorial Drive
Agency Village, South Dakota 57262-0509
Phone: (605) 698-3911

Comment Reference Document 9

February 23, 2010

Ms. Liana Reilly, NEPA-DM
Western Area Power Administration
Natural Resource Office
12155 West Alameda Parkway
Lakewood, CO 80228-8213

Dear Ms. Reilly:

I am the Tribal Historic Preservation Officer for the Sisseton Wahpeton Oyate located in northeastern South Dakota. I would like to take this opportunity to request additional information regarding the "South Dakota Prairie Winds Project" to complete our comments to the Draft Environmental Impact Statement for this project

9.1 The Draft EIS for this project has very limited information in the Cultural Resources section 5.4.3 to provide any comments for the EIS. Until we receive additional information, my office 9.2 cannot provide adequate recommendations with regard to our interests in the cultural resources which can potentially be impacted by this project. Furthermore, we would like to reserve our right to provide comments once this occurs.

9.3 This draft EIS does not contain information regarding the archaeology conducted for this project. 9.4 I understand that Metcalf Archaeology Consultants produced a report on this project but the Tribes have yet to receive a draft report for consultation under Section 106 of the National Historic Preservation Act, as amended in 1992. Our office has not been consulted on the TCP Survey conducted and would also request consultation on both documents with Western Area Power Administration (WAPA).

9.5 WAPA has the responsibility to involve Tribes in the findings and determinations made during the section 106 process (36CFR800.2 (a) (4) and should initiate consultation immediately with the findings and determinations of the Metcalf Report.

9.6 The Agency Official could use the NEPA process for section 106 purposes, *"if the agency official has notified in advance the SHPO/THPO and the Council that it intends to do so and the ...standards are met."* (36CFR800.8 (c)

9.7 The requirements to 36 CFR 800.8 (c) (1) have not been met and we are initiating the requirements in 36 CFR 800.8 (c). Currently, our office cannot submit comments regarding proposing measures to avoid, minimize or mitigate any adverse effects of the undertakings on historic properties that are not described in the DEIS. Because of this action, the standards have not been met in 36 CFR 800.8 (c) (1) and we make a formal objection to the DEIS, (36 CFR 800.8 (c) (2) (ii)).

9.8 The resolution of effects on historic properties that could be proposed as comments by the Sisseton Wahpeton Oyate THPO in the DEIS cannot be achieved because consultation hasn't occurred with tribes (36 CFR 800.8 (c) (4))...hence, the DEIS is "inadequate" (36 CFR 800.8 (c) (2) (ii)).

9.9 With the time-frame proposed, a Programmatic Agreement or a Memorandum of Agreement would be the other alternative the Federal agency may have. Have either of these documents been developed by WAPA or reviewed by the Tribes? If WAPA is considering a section 106 document the Sisseton Wahpeton Oyate is requesting to be a consulting party. A programmatic agreement must be developed to fulfill the requirements of Section 106 of the NHPA. I would urge your agency to pursue this effort as expeditiously as possible. These discussions have not occurred with either document and will not meet the NEPA timeline for a final EIS as the determination of effects and resolution of effects are required to be a part of finalizing an EIS for a Record of Decision (ROD), for this project. (36 CFR 800. (c) (4)&(5))

9.10

9.11

9.12 The Sisseton Wahpeton Oyate THPO is formally requesting a (60) day extension to provide adequate input through formal consultation provided in section 106 of NHPA. The Metcalf Report or TCP Survey Report has not been discussed through consultation with THPO's and we cannot make adequate recommendations to avoid, minimize, or mitigate historic properties for either alternative, Crow Lake or Winner site.

9.13 Your response is urgent given the timeline set by Western Area Power Administration and the USDA-RUS.

9.14 You can contact me at [redacted] should you have a comment or question regarding this letter. My e-mail address is: [redacted].

Sincerely,

Dianne Desrosiers

Dianne Desrosiers
Tribal Historic Preservation Officer
Sisseton Wahpeton Oyate

Cc: Steve Tromly, WAPA
Paige Hoskinson-Olsen, SD SHPO
Val Hauser, ACHP
Laura Dean, RUS

Sisseton-Wahpeton Oyate
LAKE TRAVERSE RESERVATION
P.O. Box 509
100 Veterans Memorial Drive
Agency Village, South Dakota 57262-0509
Phone: (605) 698-3911

Comment Reference Document 10

March 1, 2010

Ms. Liana Reilly, NEPA-DM
Western Area Power Administration
Natural Resource Office
12155 West Alameda Parkway
Lakewood, CO 80228-8213

Re: *Comments to South Dakota Prairie Winds Project DEIS*

Dear Ms. Reilly:

The Sisseton Wahpeton Oyate Tribal Historic Preservation Office submits these comments regarding the "Draft Environmental Impact Statement for the South Dakota Prairie Winds Project" for your consideration.

Background:

The South Dakota Prairie Winds Project proposes to establish wind turbine generated electricity at two proposed locations in South Dakota, Crow Lake and Winner Site. Prairie Winds SD1, Inc. (Prairie Winds) is the applicant requesting Federal financial assistance from Rural Utilities Service (RUS) for this project; and, Basin Electric, owner of Prairie Winds, is requesting an interconnection within the Western Area Power Administration (WAPA) administered Transmission System. Both are requesting Federal action and have triggered the National Environmental Policy Act, (NEPA) review and internal policy review. This request could also trigger federal compliance to other laws applicable to the undertaking.

It was determined by both Co-lead agencies, WAPA and RUS, that applicant requests required an Environmental Impact Statement (EIS). This document addresses two Federal actions:

a. Whether WAPA approves of a request from Basin Electric for a interconnection to the WAPA Transmission System and if transmission capacity is available;

b. Whether RUS will approve and provide Federal financing to the applicant Prairie Winds, Inc. for the Project; accordingly, this would necessitate NEPA review which is one of the requirements: *"Ensure that NEPA and other requirements and RUS Environmental Policies and Procedures are satisfied prior to taking a federal action."*

10.1 Western states it will use their NEPA procedures for public involvement pursuant to 36 CFR 800.2 (d) and but is still legally responsible for compliance to section 106 of the National Historic Preservation Act, (NHPA). This section 36 CFR 800.2 (d) (3) allows for use of agency procedures for the public. RUS also will use their Environmental Policies and Procedures which involves the public and also consultation with the Tribes.

10.2 What is important to note in both processes is that Tribal Governments are not considered or in the classification of the general public, thus the public scoping meetings do not suffice as good faith consultation with interested tribes. The lead federal agency WAPA is responsible for initiating section 106 consultation with SHPO/THPO's, Tribes and the interested public regarding the Class III Archaeological Survey done for this project by Metcalf Archeological and the Traditional Cultural Property Survey report done by the Yankton Sioux Cultural Committee. This meeting has yet to occur and the results of these surveys should be reflected in this DEIS prior to its release allowing tribes to comment on the issues. These concerns cannot be made at this time.

10.3

Internal-Regulations of WAPA/RUS: BMP's and APM's:

10.4 This DEIS makes references to internal policies and procedures to comply with NEPA for both WAPA and RUS. It is assumed that both processes authorize a BMP's or APM's as listed, for any future issues when considering mitigation of adverse impacts and recommend measures to satisfy section 106 of NHPA. These internal documents were never presented to the Tribes nor wasn't a tribal consultation item initiated by WAPA. Both these processes could be viewed as providing a conduit to mitigate potential adverse impacts to historic properties with no Tribal input.

Recommend:

10.5 1) The SWO-THPO cannot provide recommendations or comment regarding BMP's and APM's being allowed to be followed versus compliance to subpart B of 36

10.5 continued

CFR 800. These two items should have been attached so the commenter could have reviewed these processes to make an informed decision. We are requesting consultation on these documents as they can be construed as efforts to mitigate adverse impacts to historic properties.

10.6

2) Request review of the internal processes identified in DEIS for both WAPA and RUS whether these internal policies and procedures meet the requirements of section 106 of NHPA and report findings in FEIS.

Consultation:

Consultation must have transparency and should reflect the efforts in this document.

10.7

This DEIS lacks any information regarding any consultation conducted and what was the substance of discussion to initiate tribal consultation and generate a comment.

10.8

The DEIS in Chapter 3 lists three government-to-government consultation sessions with Tribes. Based on the lack of information, it is assumed this DEIS is construing government-to-government consultation sessions as consultation under section 106 with Tribes. We are aware; that on the dates identified in the DEIS, meetings were held with THPO's discussing the processes in identification of sites and developing an agreement for services for a TCP Survey conducted by Yankton Sioux Tribe Cultural Committee and Mr. S. Lebeau. The Sisseton Wahpeton Oyate does not consider the earlier meetings "Government-to-Government" consultation.

The Sisseton Wahpeton Oyate THPO requests the DEIS correct this mis-understanding of what level of consultation occurred at the listed consultation meeting dates referenced in the DEIS. It is understood that section 106 consultation was being conducted on the dates listed, not government-to-government consultation as stated, please adjust this error. These two separate issues are listed below:

10.9

The Sisseton Wahpeton Oyate is represented by our Tribal Council who administers a Constitution for the members of our Tribe. These individuals are elected leaders comprising the Tribal Government. Any Federal agency who initiates E.O. 13175 Consultation and Coordination with Tribal Governments, must address the governing body of that Tribe to achieve true government-to-government consultation (36 CFR 800.2 (c) (ii) (2) (C)). Consultation must include this and potential adverse impacts can be addressed by the governing body, which they have a right to be consulted on beyond the responsibilities of the THPO's.

The Tribal Historic Preservation Officer is a consulting party when the section 106 process is initiated under subpart B of 36 CFR 800, regardless of location of historic properties or TCP sites. Generally a Federal agency official is required to identify Tribes

10.9 continued

and consult with them if a federal undertaking is initiated as required in 36 CFR 800. Any alternatives the federal agencies developed or in compliance to, require a MOA or PA to resolve adverse effects to historic properties and as such, are signatories or consulting parties to these documents only a federal agency can produce.

Chapter 5. Cultural Resources:

10.10 The Draft EIS for this project has very limited information in the Cultural Resources Section 5.4.3 to provide any comments for the EIS. Until we receive additional
10.11 information, i.e. Metcalf Class III Survey Report and the TCP Survey Report, the Sisseton Wahpeton Oyate THPO cannot provide adequate recommendations to be included in the comments to the DEIS and we would like to reserve our right to providing comments once this occurs.

10.12 This draft EIS does not contain any information regarding the archaeology conducted for this project. We are with the understanding that Metcalf Archaeology Consultants
10.13 produced a report on this project but the Tribes have yet to receive a draft report for consultation under Section 106 of the National Historic Preservation Act, as amended in 1992. Our office has not been consulted by Western Area Power Administration (WAPA) on the results of the TCP Survey which was conducted this past fall (2009) and request consultation on both documents.

10.14 WAPA has the responsibility to involve Tribes in the findings and determinations made during the section 106 process (36CFR800.2 (a) (4) and should initiate consultation immediately with the findings and determinations of the Metcalf Report for this project.

10.15 The Agency Official could use the NEPA process for section 106 purposes, *"if the agency official has notified in advance the SHPO/THPO and the Council that it intends to do so and the ...standards are met."* (36CFR800.8 (c))

Recommendation:

10.16 1) The requirements to 36 CFR 800.8 (c) (1) have not been met and we are initiating the requirements in 36 CFR 800.8 (c). Currently, our office cannot submit comments regarding proposing measures to avoid, minimize or mitigate any adverse effects of the undertaking on historic properties that are not described in the DEIS. Because of this action, the standards have not been met in 36 CFR 800.8 (c) (1) and we make a formal objection to the DEIS, (36 CFR 800.8 (c) (2) (ii)).

10.17 2) The resolution of effects on historic properties that could be proposed as comments by Sisseton Wahpeton Oyate THPO in the DEIS cannot be achieved

10.17 continued → because consultation hasn't occurred with tribes (36 CFR 800.8 (c) (4))...hence, the DEIS is "inadequate" (36 CFR 800.8 (c) (2) (ii)).

10.18 → 3) With the time frame proposed, a Programmatic Agreement or a Memorandum of Agreement would be the other alternative the Federal agency may have. These consultation discussions have not occurred with either document and will not meet the NEPA timeline for a final EIS as these determination of effects and resolution of effects are required to be a part of finalizing an EIS for a Record of Decision, (ROD) for this project. (36 CFR 800. (c) (4) & (5)) these should be reflected in the FEIS.

10.19 →

10.20 → 4) The Sisseton Wahpeton Oyate THPO is formally requesting to WAPA through RUS of a (60) day extension of the DEIS for Sisseton Wahpeton Oyate and other Tribes, to provide adequate input through formal consultation provided in section 106 of NHPA. The Metcalf Report or TCP Survey Report has not been discussed through consultation with tribal THPO's and we cannot make adequate recommendations to avoid, minimize, or mitigate historic properties for either alternative, the Crow Lake or Winner site, which are referenced in the DEIS for this project.

10.21 → 5) An MOA or PA is the more legal approach to satisfy section 106 compliance for Federal agencies and should have been developed prior to the release of the DEIS. Consultation with Tribes, Federal agencies SHPO/THPO's and interested parties, have yet to occur. This DEIS is in-adequate as it contains no draft MOA or PA, and does not provide pertinent information to the commenter to provide recommendations to avoid, minimize, or mitigate adverse impacts to historic properties.

10.22 → 6) The findings and determinations recommended from the Metcalf Class III Survey Report should have been a matter of record identified in the DEIS or reflected in Chapter 5 Cultural Resources, and when consultation occurred on the recommendations included in the Report. The DEIS cannot go to a FEIS as these issues with cultural resources and the review of such, cannot be completed and the findings and determinations to identified historic properties need to be identified and listed for comments.

10.23 → 7) Limited information on the archaeology completed by Metcalf regarding number of sites identified, number of sites proposed to be impacted, number of sites eligible, number of sites not eligible. These items, among others, need consultation with THPO's as required by section 106 of NHPA. Final EIS must provide more information, no information provided in the DEIS to comment on.

DEIS Timeline Not Achievable:

10.24 The Project cannot meet the timeline with a final document as a number of section 106 functions are yet to be administered prior to the completion of the NEPA process. The

10.25 DEIS states that a MOA under 36 CFR 800.6 (c) is being developed with WAPA, RUS, affected Federal agencies, applicants and the tribes to address adverse effects to historic properties under the umbrella of an section 106 agreement. Although this is stated in the DEIS, this has yet to occur and the DEIS is mis-leading to state this.

10.26 The Federal agency has to develop standards for environmental documents to comply with section 106. Among other functions, *"Develop in consultation with identified consulting parties alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the undertaking on historic properties and describe them in the EA or DEIS."* (36 CFR 800.8 (c) (1) (v). This requires the federal official to

10.27 "identify consulting parties, identify historic properties, and consult regarding the effects of the undertaking on historic properties with the SHPO/THPO, Indian Tribes…that might attach religious and cultural significance to affected historic properties…" and describe them in the DEIS. This section on Metcalf Class III report or TCP survey report is not described at all and the process doesn't allow a THPO to provide consultation on the findings and determinations to adverse effects to historic properties.

10.28 This section specifically requires consultation by agency official (WAPA/RUS) on any proposed alternatives or proposed measures to resolve adverse effects to historic properties or that is of religious and culturally significant to the Sisseton Wahpeton Oyate. These alternatives or proposed measures are to be described in the DEIS but are not described at all. This action relieves the commenter his legal right to provide involvement and input into a federal action and document.

In 36 CFR 800.8 (c) (2) *Review of environmental documents* (i): states in part, *"The agency official shall submit the EA, DEIS, or EIS to the SHPO/THPO, Indian Tribe…that might attach religious and cultural significance to affected historic properties and other consulting parties prior to or when making the document available for public comment. If the document being prepared is a DEIS or EIS, the agency official shall also submit it to the Council."*

10.29 The comment period has elapsed but because the DEIS lacks little or no information on important consultation items regarding adverse effects to historic properties, the

10.29 continued

Sisseton Wahpeton Oyate THPO cannot make comments because of the lack of information.

10.30 The approval of the undertaking is predicated on the following section 36 CFR 800.8 (c) (4), which states *"If the agency official has found, during the preparation of an EA or EIS that the effects of an undertaking on historic properties are adverse, the agency official shall develop measures in the EA, DEIS, or EIS to avoid, minimize, or mitigate such effects....The agency official's responsibilities under section 106 and the procedures in this subpart shall then be satisfied when either:*

(i) A binding commitment to such proposed measures is incorporated in (A) The ROD, if such measures were proposed in a DEIS or EIS; or

(B) An MOA drafted in compliance with §800.6 (c); or

(ii) The Council has commented under §800.7 and received the agency's response to such comments."

The Sisseton Wahpeton Oyate THPO have made it a matter of record that comments regarding these issues that carry weight in the NEPA process. The requirements completing section 106 must be completed prior to a Record of decision (ROD).

We look forward to further involvement in this project. Please contact me regarding this
10.31 correspondence at [redacted].

Sincerely,

Dianne Desrosiers

Dianne Desrosiers
Tribal Historic Preservation Officer
Sisseton Wahpeton Oyate

Cc: Dennis Rankin, Project Manager
Engineering and Environmental Staff
Rural Utilities Service
1400 Independence Ave SW, Mail Stop 1571
Washington, DC 20250-1571
File

Box 248
Marty, SD 57361

(605) 384-3804 / 384-3641
FAX (605) 384-5687

YANKTON SIOUX TRIBE

LAND OF THE FRIENDLY PEOPLE OF THE SEVEN COUNCIL FIRES

Comment Reference Document 11

February 10 2009

Liana G. Reilly, Project Manager
Western Power Administration
PO Box 281213
Lakewood Colorado

RE: Prairie Winds project section 106 requirements

Dear Ms. Reilly

11.1 This letter is a form of complaint in regards to the Yankton Sioux involvement in the Prairie Winds project 106 requirement. The Yankton Sioux Tribal Historic Preservation Office has yet to be notified or consulted in regards to your project. The Yankton Sioux Tribe has had an official THPO since September 21, 2009. I have spoken with Kent Good and asked for official documentation of Yankton involvement. He has not given me such proof. Why am I not given appropriate consultation?

Sincerely,

Lana M. Gravatt

Lana M. Gravatt
Yankton Sioux Tribe Historic Preservation Officer
Yankton Sioux Tribe

Santee Sioux Nation

COUNCIL HEADQUARTERS / MUSEUM

Chairman: Roger Trudell
Vice Chairman: David Henry
Treasurer: Robert Campbell
Secretary: Cora Jones

108 Spirit Lake Avenue West
Niobrara, NE 68760-7219
Phone: (402) 857-2772
FAX: (402) 857-2779

Comment Reference Document 12

Subject; Santee Sioux Nation's response to your respective request that is governed under Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR Part 800).

To Whom it may concern:

Project: Western Area Power Administration

12.1 The purpose of this letter is to inform you that the Santee Sioux Nation has no objection to your proposed project unless any cultural , natural resources and/or places with traditional cultural significance within the project are found. Then we want to be notified immediately. 12.2

12.3 We, also, want to be consulted in the event of any NEPA or Section 106 reviews which reflect any cultural significance that are specific to our Dakota culture.

Sincerely,

Cora L. Jones, Secretary

Santee Sioux Nation

Comment Reference Document 13

From: tim mentz <mentz_tim@yahoo.com>
To: <tromly@wapa.gov>
CC: "Waste\'Win Young" <redturtlegirl@hotmail.com>, Dianne Derossier <dyanda...
Date: 2/24/2010 8:25 AM
Subject: Metcalf Report

Steve: Good day. My name is Tim Mentz Sr. from the Standing Rock Sioux Tribe and would like to request information from you regarding the South Dakota Prairie Winds Project, applicants are Basin Electric and Prairie Winds, Inc. I'm assisting the Standing Rock THPO in developing comments for the draft EIS for this project. The DEIS lacks any information regarding the references contained in the DEIS to a Class III Survey and a TCP Survey which also includes references to a MOA. Because of this lack of information, it doesn't allow Standing Rock, or any other Tribe, to provide comments to potential adverse impacts to sites idenitifed in the Class III Survey Report and within the TCP Survey report but these reports are referenced in this DEIS. I understand that WAPA has not initiated section 106 consultation on the Metcalf Archaeological Class III Report for the South Dakota Prairie Winds Project with any Tribe, could you confirm this? Could you provide the correct title to the Metcalf Report? How will WAPA fulfill their section 106 responsibilities to consultation with the SHPO and THPO's? When was SHPO contacted regarding metcalf report and provided a copy? Please provide a copy of a MOA or PA draft which is referenced in the DEIS to myself, or, provide copies to the THPO's that are c-c'd on this e-mail. Please provide a schedule on how consultation will be conducted, where and when regarding the Metcalf Class III Report and the TCP Survey Report. Please advise how WAPA will complete section 106 prior to a Record of Decision.

13.1
13.2
13.3
13.4
13.5

Tribal Historic Preservation Office
P.O. Box 809
Rosebud, South Dakota
Telephone: (605) 747-4255
Fax: (605) 747-4211
Email: rstthpo@yahoo.com

Protecting the Land, Cultural, Heritage and Tradition for the Future Generation

Russell Eagle Bear
Officer

Kathy Arcoren
Administrative Assistant

February 26, 2010

Comment Reference Document 14

Ms. Liana Reilly, NEPA-DM
Western Area Power Administration
Natural Resource Office
12155 West Alameda Parkway
Lakewood, CO 80228-8213

Re: Comments To South Dakota Prairie Winds Project DEIS

Dear Ms. Reilly,

The Rosebud Sioux Tribe Tribal Historic Preservation Office submits these comments regarding the "Draft Environmental Impact Statement for the South Dakota Prairie Winds Project" for your consideration.

Background:

The South Dakota Prairie Winds Project proposes to establish wind turbine generation electricity at two proposed locations in South Dakota, Crow Lake and Winner Site. Prairie Winds SD1, Inc. (Prairie Winds) is the applicant requesting Federal financial assistance from Rural Utilities Service (RUS) for this project; and, Basin Electric, owner of Prairie Winds, is requesting an interconnection within the Western Area Power Administration (WAPA) administered Transmission System. Both are requesting Federal action and have triggered the National Environmental Policy Act, (NEPA) review and internal policy review. These requests could also trigger other federal compliance to other laws applicable to the undertaking.
It was determined by both Co-lead agencies, WAPA and RUS, that applicant requests required an Environmental Impact Statement (EIS). This document addresses two Federal actions:

a. Whether WAPA approves of a request from Basin Electric for a interconnection to the WAPA Transmission System and if transmission capacity is available;
b. Whether RUS will approve and provide Federal financing to applicant Prairie Winds, Inc. for the Project?; accordingly, would require NEPA review which is one of the requirements: *"Ensure that NEPA and other requirements and RUS Environmental Policies and Procedures are satisfied prior to taking a federal action."*

Mary Wade
Recording Clerk

Alma Espinosa
Filing Clerk

14.1 Western states it will use their NEPA procedures for public involvement pursuant to 36 CFR 800.2 (d) and but is still legally responsible for compliance to section 106 of the National Historic Preservation Act, (NHPA). This section 36 CFR 800.2 (d) (3) allows for use of agency procedures for the public. RUS also will use their Environmental Policies and Procedures which I'm sure involves the public but also consultation with the Tribes.

What is important to note in both processes that Tribal Governments are not considered or in the classification of Public. The lead federal agency, WAPA, is responsible for initiating section 106 consultation with SHPO/THPO's, Tribes and interested public regarding the Class III Archaeological Survey done for this project by Metcalf and a TCP Survey report done by Yankton Sioux Tribe. This meeting needs to occur and should have been reflected in this DEIS prior to the release of the DEIS so Tribes could comment on the issues. These concerns cannot be addressed at this time.

Internal-Regulations of WAPA/RUS: BMP's and APM's:

14.2 This DEIS makes references to internal policies and procedures to comply with NEPA for both WAPA and RUS. It is assumed that both processes authorize a BMP's or APM's as listed, for any future issues when considering mitigation of adverse impacts and recommend measures to satisfy section 106 of NHPA. These internal documents were never presented to the Tribes nor wasn't a tribal consultation item initiated by WAPA. Both these processes could be viewed as providing a process to mitigate potential adverse impacts to historic properties with no Tribal input.

Recommend:

14.2 continued

1) The RSTTHPO cannot provide recommendations or comment regarding BMP's and APM's being allowed to be followed versus compliance to subpart B of 36 CFR 800. These two items should have been attached so the commenter could have reviewed these processes to make an informed decision. We are requesting consultation on these documents as they can be construed as efforts to mitigate adverse impacts to historic properties.

14.3 2) Request review of the internal processes identified in DEIS for both WAPA and RUS whether these internal policies and procedures meet the requirements of section 106 of NHPA and report findings in FEIS.

Consultation:

14.4 Consultation must have transparency and should reflect the efforts in this document. This DEIS lacks any information regarding any consultation conducted and what was the substance of discussion to initiate tribal consultation and generate a comment.

The DEIS in Chapter 3 lists three government-to-government consultation sessions with Tribes. Based on lack of information, it is assumed this DEIS is construing government-to-government consultation sessions as consultation under section 106 with Tribes. I understand that on the

14.4 continued

dates identified in the DEIS were meetings with THPO's discussing the processes in identification of sites and developing an agreement for services for a TCP Survey conducted by Yankton Sioux Tribe and Mr. S. Lebeau.

The Rosebud Sioux Tribe THPO requests the DEIS correct this mis-understanding on what consultation levels were conducted at these listed consultation meeting dates. It is understood that section 106 consultation was being conducted on the dates listed, not government-to-government consultation as stated, please adjust this error. These two separate issues are listed below:

14.5 The Rosebud Sioux Tribe is represented by our Tribal Council who administers a Constitution for the members of our Tribe. These individuals are elected leaders comprising the Tribal Government. Any Federal agency who initiates E.O. 13175 Consultation and Coordination with Tribal Governments, must address the governing body of that Tribe to achieve true government-to-government consultation (36 CFR 800.2 (c) (ii) (2) (C)). Consultation must include this and potential adverse impacts can be addressed by the governing body, which they have a right to be consulted on beyond the responsibilities of the THPO's.

14.6 The Tribal Historic Preservation Officer is a consulting party when the section 106 process is initiated under subpart B of 36 CFR 800, regardless of location of historic properties or TCP sites. Generally a Federal agency official is required to identify Tribes and consult with them if a federal undertaking is initiated as required in 36 CFR 800. Any alternatives the federal agencies developed or in compliance to, require a MOA or PA to resolve adverse effects to historic properties and as such, are signatories or consulting parties to these documents only a federal agency can produce.

Chapter 5. Cultural Resources:

14.7 The Draft EIS for this project has very limited information in the Cultural Resources Section 5.4.3 to provide any comments for the EIS. Until I receive additional information, i.e. Metcalf Class III Survey Report and the TCP Survey Report, the Rosebud Sioux THPO cannot provide adequate recommendations to be included in the comments to the DEIS and we would like to reserve our right to providing comments once this occurs.

14.8

14.9 This draft EIS doesn't contain any information regarding the archaeology conducted for this project. The RSTTHPO understands that Metcalf Archaeology Consultants produced a report on this project but the Tribes have yet to receive a draft report for consultation under section 106 of the National Historic Preservation Act, as amended in 1992. Our office has not been consulted by Western Area Power Administration (WAPA) on the results of the TCP Survey conducted also this past summer and request consultation on both documents.

14.10

14.11 WAPA has the responsibility to involve Tribes in the findings and determinations made during the section 106 process (36CFR800.2 (a) (4) and should initiate consultation immediately with the findings and determinations of the Metcalf Report for this project.

14.12 The Agency Official could use the NEPA process for section 106 purposes, *"if the agency official has notified in advance the SHPO/THPO and the Council that it intends to do so and the ...standards are met."* (36CFR800.8 (c))

Recommendation:

14.13 1) The requirements to 36 CFR 800.8 (c) (1) have not been met and we are initiating the requirements in 36 CFR 800.8 (c). Currently, our office cannot submit comments regarding proposing measures to avoid, minimize or mitigate any adverse effects of the undertaking on historic properties that are not described in the DEIS. Because of this action, the standards have not been met in 36 CFR 800.8 (c) (1) and we make a formal objection to the DEIS, (36 CFR 800.8 (c) (2) (ii)).

14.14 2) The resolution of effects on historic properties that could be proposed as comments by the RSTTHPO in the DEIS cannot be achieved because consultation hasn't occurred with tribes (36 CFR 800.8 (c) (4))…hence, the DEIS is "inadequate" (36 CFR 800.8 (c) (2) (ii)).

14.15 3) With the time frame proposed, a Programmatic Agreement or a Memorandum of Agreement would be the other alternative the Federal agency may have. These
14.16 consultation discussions have not occurred with either document and will not meet the NEPA timeline for a final EIS as these determination of effects and resolution of effects are required to be a part of finalizing an EIS for a Record of Decision, (ROD) for this project. (36 CFR 800. (c) (4)&(5))These should be reflected in the FEIS.

14.17 4) The Rosebud Sioux Tribe THPO is formally requesting to WAPA through RUS of a (60) day extension of the DEIS for Standing Rock and other Tribes, to provide adequate input through formal consultation provided in section 106 of NHPA. The Metcalf Report or TCP Survey Report has not been discussed through consultation by tribal THPO's and we cannot make adequate recommendations to avoid, minimize, or mitigate historic properties for either alternative, Crow Lake or Winner site, that are referenced in the DEIS for this project.

14.18 5) An MOA or PA is the more legal approach to satisfy section 106 compliance for Federal agencies and should have been developed prior to the release of the DEIS. Consultation with Tribes, Federal agencies SHPO/THPO's and interested parties, have yet to occur. This DEIS is in-adequate as it contains no draft MOA or PA, and does not provide pertinent information to the commenter to provide recommendations to avoid, minimize, or mitigate adverse impacts to historic properties.

14.19 6) The findings and determinations recommended from the Metcalf Class III Survey Report should have been a matter of record identified in the DEIS or reflected in Chapter 5 Cultural Resources, and when consultation occurred on the recommendations included in the Report. The DEIS cannot go to a FEIS as these issues with cultural resources and the review of such, cannot be completed and the findings and determinations to identified historic properties need to be identified and listed for comments.

14.20 7) Limited information on the archaeology completed by Metcalf regarding number of sites identified, number of sites proposed to be impacted, number of sites eligible, number of sites not eligible. These items, among others, need consultation with THPO's as required by section 106 of NHPA. Final EIS must provide more information, no information provided in the DEIS to comment on.

DEIS Timeline Not Achievable:

14.21 The Project cannot meet the timeline with a final document as a number of section 106 functions
14.22 are yet to be administered prior to the completion of the NEPA process. The DEIS states that a MOA under 36 CFR 800.6 (c) is being developed with WAPA, RUS, affected Federal agencies,

14.22 continued

applicants and the tribes to address adverse effects to historic properties under the umbrella of an section 106 agreement. Although this is stated in the DEIS, this has yet to occur and the DEIS is mis-leading to state this.

14.23

The Federal agency has to develop standards for environmental documents to comply with section 106. Among other functions, *"Develop in consultation with identified consulting parties alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the undertaking on historic properties and describe them in the EA or DEIS."* (36 CFR 800.8 (c) (1) (v).

14.24

This requires the federal official to "identify consulting parties, identify historic properties, and consult regarding the effects of the undertaking on historic properties with the SHPO/THPO, Indian Tribes…that might attach religious and cultural significance to affected historic properties…" and describe them in the DEIS. This section on Metcalf Class III report or TCP survey report is not described at all and the process doesn't allow a THPO to provide consultation on the findings and determinations to adverse effects to historic properties.

14.25

This section specifically requires consultation by agency official (WAPA/RUS) on any proposed alternatives or proposed measures to resolve adverse effects to historic properties or that is of religious and culturally significant to the Rosebud Sioux Tribe. These alternatives or proposed measures are to be described in the DEIS but are not described at all. This action relieves the commenter his legal right to provide involvement and input into a federal action and document.

In 36 CFR 800.8 (c) (2) *Review of environmental documents* (i): states in part, *"The agency official shall submit the EA, DEIS, or EIS to the SHPO/THPO, Indian Tribe…that might attach religious and cultural significance to affected historic properties, and other consulting parties prior to or when making the document available for public comment. If the document being prepared is a DEIS or EIS, the agency official shall also submit it to the Council."*

14.26

In following the process, we are in the comment period but because the DEIS lacks little or no information on important consultation items regarding adverse effects to historic properties, the Rosebud Sioux Tribe THPO cannot make comments because of the lack of information.

The approval of the undertaking is predicated on the following section 36 CFR 800.8 (c) (4), which states *"If the agency official has found, during the preparation of an EA or EIS that the effects of an undertaking on historic properties are adverse, the agency official shall develop measures in the EA, DEIS, or EIS to avoid, minimize, or mitigate such effects….The agency official's responsibilities under section 106 and the procedures in this subpart shall then be satisfied when either:*

(i) A binding commitment to such proposed measures is incorporated in
(A) The ROD, if such measures were proposed in a DEIS or EIS; or
(B) An MOA drafted in compliance with §800.6 (c); or

(ii) The Council has commented under §800.7 and received the agency's response to such comments."

The Rosebud Sioux Tribe THPO have made it a matter of record that comments regarding these issues that carry weight in the NEPA process. The requirements completing section 106 must be completed prior to a Record of decision.

14.27

We look forward to further involvement in this project. Please contact me regarding this correspondence at [redacted] or at [redacted].

Sincerely,

Kathy Arcurio

ka Mr. Russell Eagle Bear
Tribal Historic Preservation Officer
Rosebud Sioux Tribe

C-c: Dennis Rankin, Project Manager
Engineering and Environmental Staff
Rural Utilities Service
1400 Independence Ave SW, Mail Stop 1571
Washington, DC 20250-1571

TRIBAL HISTORIC PRESERVATION OFFICE
STANDING ROCK SIOUX TRIBE
Administrative Service Center
North Standing Rock Avenue
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Tel: (701) 854-2120
Fax: (701) 854-2138

February 26, 2010

Comment Reference Document 15

Ms. Liana Reilly, NEPA-DM

Western Area Power Administration

Natural Resource Office

12155 West Alameda Parkway

Lakewood, CO 80228-8213

Re: Comments To South Dakota Prairie Winds Project DEIS

Dear Ms. Reilly:

The Standing Rock Sioux Tribe Tribal Historic Preservation Office submits these comments regarding the "Draft Environmental Impact Statement for the South Dakota Prairie Winds Project" for your consideration.

Background:

The South Dakota Prairie Winds Project proposes to establish wind turbine generation electricity at two proposed locations in South Dakota, Crow Lake and Winner Site. Prairie Winds SD1, Inc. (Prairie Winds) is the applicant requesting Federal financial assistance from Rural Utilities Service (RUS) for this project; and, Basin Electric, owner of Prairie Winds, is requesting an interconnection within the Western Area Power Administration (WAPA) administered Transmission System. Both are requesting Federal action and have triggered the National Environmental Policy Act, (NEPA) review and internal policy review. These requests could also trigger other federal compliance to other laws applicable to the undertaking.

It was determined by both Co-lead agencies, WAPA and RUS, that applicant requests required an Environmental Impact Statement (EIS). This document addresses two Federal actions:

a. Whether WAPA approves of a request from Basin Electric for a interconnection to the WAPA Transmission System and if transmission capacity is available;

b. Whether RUS will approve and provide Federal financing to applicant Prairie Winds, Inc. for the Project?; accordingly, would require NEPA review which is one of the requirements: *"Ensure that NEPA and other requirements and RUS Environmental Policies and Procedures are satisfied prior to taking a federal action."*

15.1 Western states it will use their NEPA procedures for public involvement pursuant to 36 CFR 800.2 (d) and but is still legally responsible for compliance to section 106 of the National Historic Preservation Act, (NHPA). This section 36 CFR 800.2 (d) (3) allows for use of agency procedures for the public. RUS also will use their Environmental Policies and Procedures which I'm sure involves the public but also consultation with the Tribes.

15.2 What is important to note in both processes that Tribal Governments are not considered or in the classification of Public. The lead federal agency, WAPA, is responsible for initiating
15.3 section 106 consultation with SHPO/THPO's, Tribes and interested public regarding the Class III Archaeological Survey done for this project by Metcalf and a TCP Survey report done by Yankton Sioux Tribe. This meeting needs to occur and should have been reflected in this DEIS prior to the release of the DEIS so Tribes could comment on the issues. These concerns cannot be made at this time.

Internal-Regulations of WAPA/RUS: BMP's and APM's:

15.4 This DEIS makes references to internal policies and procedures to comply with NEPA for both WAPA and RUS. It is assumed that both processes authorize a BMP's or APM's as listed, for any future issues when considering mitigation of adverse impacts and recommend measures to satisfy section 106 of NHPA. These internal documents were never presented to the Tribes nor wasn't a tribal consultation item initiated by WAPA. Both these processes could be viewed as providing a process to mitigate potential adverse impacts to historic properties with no Tribal input.

Recommend:

15.5 1] The SRTHPO cannot provide recommendations or comment regarding BMP's and APM's being allowed to be followed versus compliance to subpart B of 36 CFR 800. These two items should have been attached so the commenter could have reviewed these processes to make an informed decision. We are requesting consultation on these documents as they can be construed as efforts to mitigate adverse impacts to historic properties.

15.6 2) Request review of the internal processes identified in DEIS for both WAPA and RUS whether these internal policies and procedures meet the requirements of section 106 of NHPA and report findings in FEIS.

Consultation:

Consultation must have transparency and should reflect the efforts in this document. This
15.7 DEIS lacks any information regarding any consultation conducted and what was the substance of discussion to initiate tribal consultation and generate a comment.

15.8 The DEIS in Chapter 3 lists three government-to-government consultation sessions with Tribes. Based on lack of information, it is assumed this DEIS is construing government-to-government consultation sessions as consultation under section 106 with Tribes. I understand that on the dates identified in the DEIS were meetings with THPO's discussing the processes in identification of sites and developing an agreement for services for a TCP Survey conducted by Yankton Sioux Tribe and Mr. S. Lebeau.

The Standing Rock THPO requests the DEIS correct this mis-understanding on what consultation levels were conducted at these listed consultation meeting dates. It is understood that section 106 consultation was being conducted on the dates listed, not government-to-government consultation as stated, please adjust this error. These two separate issues are listed below:

15.9 The Standing Rock Sioux Tribe is represented by our Tribal Council who administers a Constitution for the members of our Tribe. These individuals are elected leaders comprising the Tribal Government. Any Federal agency who initiates E.O. 13175 Consultation and Coordination with Tribal Governments, must address the governing body of that Tribe to achieve true government-to-government consultation (36 CFR 800.2 (c) (ii) (2) (C)). Consultation must include this and potential adverse impacts can be addressed by the governing body, which they have a right to be consulted on beyond the responsibilities of the THPO's.

The Tribal Historic Preservation Officer is a consulting party when the section 106 process is initiated under subpart B of 36 CFR 800, regardless of location of historic properties or TCP sites. Generally a Federal agency official is required to identify Tribes and consult with them if a federal undertaking is initiated as required in 36 CFR 800. Any alternatives the federal agencies developed or in compliance to, require a MOA or PA to resolve adverse effects to historic properties and as such, are signatories or consulting parties to these documents only a federal agency can produce.

Chapter 5. Cultural Resources:

15.10 The Draft EIS for this project has very limited information in the Cultural Resources Section 5.4.3 to provide any comments for the EIS. Until I receive additional information, i.e.
15.11 Metcalf Class III Survey Report and the TCP Survey Report, Standing Rock THPO cannot provide adequate recommendations to be included in the comments to the DEIS and we would like to reserve our right to providing comments once this occurs.

15.12 This draft EIS doesn't contain any information regarding the archaeology conducted for this project. I understand that Metcalf Archaeology Consultants produced a report on this
15.13 project but the Tribes have yet to receive a draft report for consultation under section 106 of the National Historic Preservation Act, as amended in 1992. Our office has not been consulted by Western Area Power Administration (WAPA) on the results of the TCP Survey conducted also this past summer and request consultation on both documents.

15.14 WAPA has the responsibility to involve Tribes in the findings and determinations made during the section 106 process (36CFR800.2 (a) (4) and should initiate consultation immediately with the findings and determinations of the Metcalf Report for this project.

15.15 The Agency Official could use the NEPA process for section 106 purposes, *"if the agency official has notified in advance the SHPO/THPO and the Council that it intends to do so and the ...standards are met."* (36CFR800.8 (c))

Recommendation:

15.16 1) The requirements to 36 CFR 800.8 (c) (1) have not been met and we are initiating the requirements in 36 CFR 800.8 (c). Currently, our office cannot submit comments regarding proposing measures to avoid, minimize or mitigate any adverse effects of the undertaking on historic properties that are not described in the DEIS. Because of this action, the standards have not been met in 36 CFR 800.8 (c) (1) and we make a formal objection to the DEIS, (36 CFR 800.8 (c) (2) (ii)).

15.17 2) The resolution of effects on historic properties that could be proposed as comments by Standing Rock THPO in the DEIS cannot be achieved because consultation hasn't occurred with tribes (36 CFR 800.8 (c) (4))...hence, the DEIS is "inadequate" (36 CFR 800.8 (c) (2) (ii)).

15.18 3) With the time frame proposed, a Programmatic Agreement or a Memorandum of
15.19 Agreement would be the other alternative the Federal agency may have. These consultation discussions have not occurred with either document and will not meet the NEPA timeline for a final EIS as these determination of effects and resolution of effects are required to be a part of finalizing an EIS for a Record of Decision, (ROD) for this project. (36 CFR 800. (c) (4)&(5))These should be reflected in the FEIS.

15.20 **4)** The Standing Rock Sioux Tribe THPO is formally requesting to WAPA through RUS of a (60) day extension of the DEIS for Standing Rock and other Tribes, to provide adequate input through formal consultation provided in section 106 of NHPA. The Metcalf Report or TCP Survey Report has not been discussed through consultation by tribal THPO's and we cannot make adequate recommendations to avoid, minimize, or mitigate historic properties for either alternative, Crow Lake or Winner site, that are referenced in the DEIS for this project.

15.21 5) An MOA or PA is the more legal approach to satisfy section 106 compliance for Federal agencies and should have been developed prior to the release of the DEIS. Consultation with Tribes, Federal agencies SHPO/THPO's and interested parties, have yet to occur. This DEIS is in-adequate as it contains no draft MOA or PA, and

15.21 continued → does not provide pertinent information to the commenter to provide recommendations to avoid, minimize, or mitigate adverse impacts to historic properties.

15.22 → 6) The findings and determinations recommended from the Metcalf Class III Survey Report should have been a matter of record identified in the DEIS or reflected in Chapter 5 Cultural Resources, and when consultation occurred on the recommendations included in the Report. The DEIS cannot go to a FEIS as these issues with cultural resources and the review of such, cannot be completed and the findings and determinations to identified historic properties need to be identified and listed for comments.

15.23 → 7) Limited information on the archaeology completed by Metcalf regarding number of sites identified, number of sites proposed to be impacted, number of sites eligible, number of sites not eligible. These items, among others, need consultation with THPO's as required by section 106 of NHPA. Final EIS must provide more information, no information provided in the DEIS to comment on.

DEIS Timeline Not Achievable:

15.24 → The Project cannot meet the timeline with a final document as a number of section 106 functions are yet to be administered prior to the completion of the NEPA process. The DEIS states that a MOA under 36 CFR 800.6 (c) is being developed with WAPA, RUS, affected Federal agencies, applicants and the tribes to address adverse effects to historic properties under the umbrella of an section 106 agreement. Although this is stated in the DEIS, this has yet to occur and the DEIS is mis-leading to state this.

15.25 →

15.26 → The Federal agency has to develop standards for environmental documents to comply with section 106. Among other functions, *"Develop in consultation with identified consulting parties alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the undertaking on historic properties and describe them in the EA or DEIS."* (36 CFR 800.8 (c) (1) (v). This requires the federal official to "identify consulting parties, identify historic properties, and consult regarding the effects of the undertaking on historic properties with the SHPO/THPO, Indian Tribes...that might attach religious and cultural significance to affected historic properties..." and describe them in the DEIS. This section on Metcalf Class III report or TCP survey report is not described at all and the process doesn't allow a THPO to provide consultation on the findings and determinations to adverse effects to historic properties.

15.27 →

15.28 → This section specifically requires consultation by agency official (WAPA/RUS) on any proposed alternatives or proposed measures to resolve adverse effects to historic properties or that is of religious and culturally significant to the Standing Rock Sioux Tribe. These alternatives or proposed measures are to be described in the DEIS but are not described at all. This action relieves the commenter his legal right to provide involvement and input into a federal action and document.

In 36 CFR 800.8 (c) (2) *Review of environmental documents* (i): states in part, *"The agency official shall submit the EA, DEIS, or EIS to the SHPO/THPO, Indian Tribe...that might attach*

15.28 continued

religious and cultural significance to affected historic properties, and other consulting parties prior to or when making the document available for public comment. If the document being prepared is a DEIS or EIS, the agency official shall also submit it to the Council."

15.29 If following the process, we are in the comment period but because the DEIS lacks little or no information on important consultation items regarding adverse effects to historic properties, the Standing Rock Sioux Tribe THPO cannot make comments because of the lack of information.

15.30 The approval of the undertaking is predicated on the following section 36 CFR 800.8 (c) (4), which states *"If the agency official has found, during the preparation of an EA or EIS that the effects of an undertaking on historic properties are adverse, the agency official shall develop measures in the EA, DEIS, or EIS to avoid, minimize, or mitigate such effects....The agency official's responsibilities under section 106 and the procedures in this subpart shall then be satisfied when either:*

(i) A binding commitment to such proposed measures is incorporated in (A) The ROD, if such measures were proposed in a DEIS or

EIS; or

(B) An MOA drafted in compliance with §800.6 (c); or

(ii) The Council has commented under §800.7 and received the agency's response to such comments."

The Standing Rock THPO have made it a matter of record that comments regarding these issues that carry weight in the NEPA process. The requirements completing section 106 must be completed prior to a Record of decision.

We look forward to further involvement in this project. Please contact me regarding this
15.31 correspondence at [redacted].

Sincerely,

Waste'Win young

Tribal Historic Preservation Officer

Standing Rock Sioux Tribe

C-c: Standing Rock Sioux Tribe;

File;

Dennis Rankin, Project Manager

Engineering and Environmental Staff

Rural Utilities Service

1400 Independence Ave SW, Mail Stop 1571

Washington, DC 20250-1571

TRIBAL HISTORIC PRESERVATION OFFICE
STANDING ROCK SIOUX TRIBE
Administrative Service Center
North Standing Rock Avenue
Fort Yates, N.D. 58538
Tel: (701) 854-2120
Fax: (701) 854-2138

February 23, 2010

Ms. Liana Reilly, NEPA-DM
Western Area Power Administration
Natural Resource Office
12155 West Alameda Parkway
Lakewood, CO 80228-8213

Comment Reference Document 16

Dear Ms. Reilly:

My name is Waste' Win Young, Tribal Historic Preservation Officer for the Standing Rock Sioux Tribe located in North and South Dakota. I'm requesting additional information regarding the "South Dakota Prairie Winds Project" to complete my comments to the Draft Environmental Impact Statement for this project

16.1 The Draft EIS for this project has very limited information in the Cultural Resources section 5.4.3 to provide any comments for the EIS. Until I receive additional information, Standing
16.2 Rock THPO cannot provide adequate recommendations and we would like to reserve our right to providing comments once this occurs.

16.3 This draft EIS doesn't contain any information regarding the archaeology conducted for this project. I understand that Metcalf Archaeology Consultants produced a report on this
16.3 project but the Tribes have yet to receive a draft report for consultation under section 106 of the National Historic Preservation Act, as amended in 1992. Our office has not consulted with the TCP Survey conducted also and request consultation on both documents with Western Area Power Administration (WAPA).

16.4 WAPA has the responsibility to involve Tribes in the findings and determinations made during the section 106 process (36CFR800.2 (a) (4) and should initiate consultation immediately with the findings and determinations of the Metcalf Report for this project.

16.5 The Agency Official could use the NEPA process for section 106 purposes, *"if the agency official has notified in advance the SHPO/THPO and the Council that it intends to do so and the ...standards are met."* (36CFR800.8 (c)

16.6 The requirements to 36 CFR 800.8 (c) (1) have not been met and we are initiating the requirements in 36 CFR 800.8 (c). Currently, our office cannot submit comments regarding proposing measures to avoid, minimize or mitigate any adverse effects of the undertaking on historic properties that are not described in the DEIS. Because of this action, the standards have not been met in 36 CFR 800.8 (c) (1) and we make a formal objection to the DEIS, (36 CFR 800.8 (c) (2) (ii)).

16.7 The resolution of effects on historic properties that could be proposed as comments by Standing Rock THPO in the DEIS cannot be achieved because consultation hasn't occurred with tribes (36 CFR 800.8 (c) (4))...hence, the DEIS is "inadequate" (36 CFR 800.8 (c) (2) (ii)).

16.8 With the time frame proposed, a Programmatic Agreement or a Memorandum of Agreement would be the other alternative the Federal agency may have. Has either

16.9 document been developed by WAPA or reviewed by the Tribes? These discussions have not occurred with either document and will not meet the NEPA timeline for a final EIS as these determination of effects and resolution of effects are required to be a part of finalizing an EIS for a Record of Decision, (ROD) for this project. (36 CFR 800. (c) (4)&(5))

16.10 The Standing Rock Sioux Tribe THPO is formally requesting a (60) day extension to provide adequate input through formal consultation provided in section 106 of NHPA. The Metcalf Report or TCP Survey Report has not been discussed through consultation by tribal THPO's and cannot make adequate recommendations to avoid, minimize, or mitigate historic properties for either alternative, Crow Lake or Winner site.

Your response is urgent given the timeline set by RUS. You can contact me at 701-854-2120

16.11 should you have a comment or question regarding this letter. My e-mail address is

Sincerely,

Waste Win Young
Tribal Historic Preservation Officer
Standing Rock Sioux Tribe

c.c. Adrienne Swallow, SRST Environmental Specialist
Cheryl Long Feather, SRST Executive Director

Comment Reference Document 17

To: Steve Tromley, Liana Reilly
Western Area Power Administration
Natural Resource Office
12155 West Alameda Parkway
Lakewood, Co. 80228-213

From: Ft. Peck, Standing Rock & Yankton Sioux Tribe Cultural Committee

Date: March 1, 2010

DRAFT ENVIRONMENTAL IMPACT STATEMENT COMMENTS ON PRAIRIE WINDS WIND FARM, A SUBSIDIARY OWNED BY BASIN ELECTRIC POWER

17.1 > 1. Cited source of Demallie provides a smaller territory than the oral history indicates, as Yankton oral history cites that Ihanktonwan traveled into the Yellowstone, Canada, and into South America for ceremonial gathering and rites of passage purposes among other reasons. (page 108). A more reflective map is included will be forwarded.

The territory and maps created through the Demallie research reflects the government effort to decrease the land base and territory for the advantage of the US Government in land takings through Treaty negotiations with Tribes. Most Treaties are land cessions. However, the Reserved Rights Doctrine allowed Tribes to preserve land and property rights in these ceded areas.

There is evidence of Siouan people in the mountain ranges of Yellowstone. The Siouan linguistic group is a tightly knit group, such as the Ponca, etc. The Siouan linguistic group extends from Alaska to South America. There is evidence of contact with the Nez Perce and the Blackfeet. It is important to note that what appears in literature searches is based on early surveyors who were hired by the government and were not impartial.

On page 109, the EIS research stated that Yankton-Yanktonnai utilized earth lodges.
17.2 > This is important as earth lodge/stone lodge/ and burial mounds existed for these bands, (Oral history, Mary Louise Defender-Wilson, cite will be forwarded). Some of these Siouan groups were agricultural and did live in defined villages dependent on the season.

17.3 > It is also important to note that the term "nomadic" implies that tribes roamed outside of their territory. Tribes and bands that were roaming were within their territory, even into the Salt Lake area, retrieving salt for use, (Oral history, Blanche Oldman).

17.4 2. The EIS does state the need for federal responsibility to ensure the utilization of tribal authorities to reflect traditional Indigenous knowledge, including knowledge of territory on page 110.

17.5 3. Training for construction workers recommended by the EIS on page 110, must be designed by Native practitioners and cultural advisors. Knowledge revealed must be for the primary purpose of protection, (i.e. cultural sensitivity).

17.6 4. On page 110, it is stated that no previous TCP's were identified in a record search of the Winner site. It is crucial that the proposed TCP study be conducted in the event of any future development plans.

17.7 5. On page 117, the chart analysis of the Crow Lake alternative, indicating the existence of 64% rangeland (natural prairie) immediately indicates that more sites would have been protected from agricultural use, hence the rich presence of sites in this area for preservation purposes. This also indicates the presence of large numbers of plant medicines utilized by Native peoples. A Native plant study is warranted.

17.8 6. On page 135, it is stated that there are no noise codes applicable to wind projects in South Dakota (Rekindle 2009c; Steele 2009; Westindorf 2009c). This is of immediate concern in areas that may be identified as fasting or ceremonial prayer areas for Native people supported by Executive Order 13007 (Indian Sacred Sites); American Indian Religious Freedom Act (1978) pertains to county, state and federal lands.

17.9 7. On page 144, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. The EIS states that census figures indicate that the Crow Lake area is inhabited by primarily white persons. This does not address the existence of the Crow Creek Sioux Tribe which is 12.5 miles in distance from the site. Oral interviews in the first Wessington Springs ethnographic study indicate that tribal members were buried in the area. Mr. Everett Harrison also indicated that his lineal grandfather, Drifting Goose inhabited the area for camping and ceremonial purposes. It is well known among tribal populations that Native people fast and pray in areas previously inhabited by ancestors even if current Native peoples do not live in the immediate vicinity. An example of this is the Medicine Knoll area , 2 miles west of Blunt, SD. This fasting hill is utilized by the descendants of the Ihanktonwan medicine person, Saswe, who did fast at this site and received vision and direction for the Ihanktonwan people. (Source oral history of Deloria and Spotted Eagle families, 1980, Henry Spotted Eagle). (Written source: Vine Deloria, Jr. in the book, Singing to the Spirit.)

17.10 8. On page 159, it states that a BA (Biological Assessment) is being prepared. It is important to note that although the EIS indicated that it did not see roosting sites in the form of trees and inhabitant areas for eagles, eagle roosting areas were identified in the Inter-Tribal Prairie Winds Traditional Cultural Property Survey of Nov-Dec 2009. Oral history tells us that eagles are a significant part of our culture, and during the TCP survey several eagle-roosting sites were identified.

17.11 9. Page 181 and 182 explain that this EIS is not intended to address all of the requirements of the EIS process, due to the extensive nature of this project. It further states that "agency officials may also defer final identification and evaluation efforts. The agency official may also defer final identification and evaluation of historic properties if it is specifically provided for in a memorandum of agreement executed pursuant to 800.6, a programmatic agreement executed pursuant to 800.14 (b), or the documents used by an

agency official to comply with the National Environmental Policy Act pursuant to 800.8." This DEIS is inadequate as it contains no prescribed format MOA or PA, and does not provide pertinent information to the commenter to provide recommendations to avoid, minimize, or mitigate adverse impacts to historic properties. Western has indicated that there will be specific meetings with consulting Tribes to develop either a PA or MOA in regard to identified cultural properties.

17.12 > 10. It also states that" there may be areas of interest to Native Americans, such as traditional use areas or TCP's that extend outside the geographic boundaries of the Proposed Project Area. These concerns must be considered through consultation with interested tribes." This emphasizes the very need that Tribes indicated in negotiating the Prairie Winds Inter-tribal Survey SOW which surveyed areas outside of the APE, for that reason.

17.13 > 11. Page 182 states that "habitation sites and some temporary camps may hold significant scientific research potential and may also be of traditional cultural significance to Native Americans." These areas are significant but NOT for the purposes of archaeological excavation of any kind. Further ethnographic study is recommended for tribal involvement. A collaborative ethnographic study by the affected tribes and selected ethnographer should be included in the mitigation plan.

17.14 > 12. The EIS process affecting Tribes has been a fast-track system that disallowed time adequate for a thorough analysis and meaningful project consultation from Tribes.

These comments are a result of collaboration between Standing Rock, Fort Peck and Yankton Cultural Committee representatives who were also involved in the TCP Survey for Prairie Winds Wind Farm.

Curley Youpee
Wastewin Young
Faith Spotted Eagle

South Dakota PrairieWinds Project
Draft Environmental Impact Statement

Local Agencies

Kimball Area Chamber of Commerce

This was submitted to Pierre, SD to the legislators on Feb 18

Comment Reference Document 18

Kimball Area Chamber of Commerce

18.1 Be it resolved on Thursday, February 18, 2010 that the Kimball Area Chamber of Commerce is not in support of HB 1060 due to its negative impact to development in the Kimball area. The effects of the bill would hinder or eliminate development of projects that would have a long term lasting impact on the area. This bills detrimental effect on economic development is not acceptable. The Kimball Area Chamber

18.2 of Commerce hereby requests your support to vote down this bill.

Brian Price
President
Kimball Area Chamber of Commerce

South Dakota PrairieWinds Project
Draft Environmental Impact Statement

Public Comments

Comments Recorded at the Public Hearing

Weidner, Fred
Keierleber, Joel
West, Nathan

Additional Written Comments Received

Assman, Dennis
Clifford, Rose
Gillen, Debra
Gray, Michael
Higher, Phil
Hotchkiss, Harold
Keierleber, Joel
LaRive, Chris
Lefu, Fabian
Turnquist, Roger
West, Nathan

Comment Reference 19 - begin page 11

Comment Reference 20 - begin page 12

Comment Reference 21 - begin page 13

SOUTH DAKOTA PRAIRIEWINDS

PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT STATEMENT

February 11, 2010

Cozard Memorial Library

Chamberlain, South Dakota

Reported By Cheri McComsey Wittler, RPR, CRR

THE HEARING OFFICER: We're going to go ahead and get started. It's about 5 minutes after 5:00 local time, February 11, 2010.

I'm Gary Hoffman. I'm an attorney with Western Area Power Administration's Office of General Counsel. I'm actually located in Lakewood, Colorado. I'll be the Hearing Officer for tonight's public hearing.

The purpose of this evening's hearing is to receive formal, oral comments on the Draft Environmental Impact Statement. We have it both in the CD ROM form. We had a few hardcopies.

And that's the Draft Environmental Impact Statement for the South Dakota PrairieWinds Project. It's denoted by a DOE, Department of Energy/EIS. And it's No. 0418. So that's how it's referenced.

There are actually three federal agencies that are directly involved with this project. Western Area Power Administration, which I'll refer to as Western for short, is with the Department of Energy. It is one of the co-lead agencies on this project under the National Environmental Policy Act. We also refer to that as NEPA for short.

The other co-lead agency is the U.S. Department of Agriculture's Rural Utility Service. And we refer to that as RUS. We're with the Government. We use

acronyms.

The U.S. Fish & Wildlife Service is a cooperating agency so they're also involved.

This formal meeting is not a question and answer forum. Prior to the start of this meeting representatives from both Western and the Applicant -- the Applicant's name is South Dakota PrairieWinds, which is wholly owned by Basin Electric Cooperative. So we've had representatives from Basin here and also from Western. And they were available to discuss this project during the open house part of this meeting.

After we conclude the formal public hearing they will be around if you have more questions that you want answered. But, again, the formal hearing is for us to take comments, not necessarily answer those questions right in the public hearing.

I'd like to introduce the representatives that we have here for this evening. From Western Area Power Administration we have Liana Reilly. She's in the back of the room. She's actually the NEPA document manager for this project. She's the point of comment -- or point of contact if you have written comments that you want to send.

Rod O'Sullivan from Western is also here. He's with the environmental office actually out of our

Billings, Montana office.

We also have an environmental contractor that's been hired to work to prepare the Draft Environmental Impact Statement at our direction with input from Basin or the South Dakota PrairieWinds group.

With the environmental contract are Molly Cresto. She's around the corner here. That contractor's -- the title of that company is Tierra Environmental Consultants. We also have Sheila Logan over here.

Working with Tierra Environmental Consultants is Pat Golden. He's actually with Heritage Environmental Consultants, but he's been working with and for Tierra on this project.

From Basin Electric Cooperative, again that's the parent company of the PrairieWinds SDI is what they call their -- the individual company that's going to be the owner of the wind project. We have Kevin Solie in back. Ron Rebenitsch. We have Aaron Ramsdell in back. And we also have Erin Dukart. And Amy Spelling (sic).

MS. SPILMAN: Spilman.

THE HEARING OFFICER: Spilman. Excuse me. So much for my handwriting.

The U.S. Fish & Wildlife Service again is a cooperating agency. We don't have a representative from

them here tonight. RUS is again a co-lead. We don't have anyone from there present tonight. But if there are comments that you want any of those agencies to consider, again the central point will be here, this hearing, or through written comment you can submit later. And it will become part of the record.

PrairieWinds SDI, Incorporated is a wholly owned subsidiary of Basin Electric Power Cooperative. Its purpose is to construct and operate up to 101 one and a half megawatt rated wind turbine generators. That would translate to again approximately 151.5 megawatt name-plate capacity for the wind powered generation, energy generation facility.

The two locations that were analyzed in the Draft Environmental Impact Statement were the Crow Lake location -- and we do have some posters here. That would be 15 miles north of White Lake and approximately 17 miles southwest of Wessington Springs, again, in South Dakota.

That location would be -- that site would be located in portions of Brule, Aurora, and Jerauld Counties. The other location looked at was the Crow Lake location. I'm sorry. That is the first location still. Within the Crow Lake proposed area it would be considering another additional seven wind turbines. That

would be an additional 10.5 megawatt name-plate capacity.

That's being proposed by a group called South Dakota Wind Partners, LLC. Considered in the Draft Environmental Impact Statement were the up to 101 turbines. But Basin asked that it be analyzed for actually 10 more turbines in addition to the 101. So the Environmental Impact Statement has already considered the additional turbines that are now being proposed by South Dakota Wind Partners, LLC.

Those seven turbines again would be located wholly within that original project area on the Crow Lake site.

The other site analyzed was the Winner location, which is about -- well, it's south of Winner. The center of it's about 8 miles south of Winner, South Dakota and would be entirely within Tripp County.

As part of the project at either of the alternative site locations a collector substation would be included in the project. For the Crow Lake site the project would be interconnected to Western Area Power Administration's transmission system at its Wessington Springs substation.

For the Winner site the interconnection to Western's grid would be at the Winner substation that Western owns.

The Applicants have applied to Western to interconnect to Western's power transmission system.

RUS is the agency that delivers the USDA's rural development utilities program. And it's authorized to make loans and loan guarantees to finance construction of electrical distribution, transmission, and generation facilities in rural areas. PrairieWinds has requested financial assistance through RUS.

The proposed interconnection with Western and the request for the financial assistance have resulted in the preparation of the Draft Environmental Impact Statement. The public hearing here this evening is to receive comments from all of you from the public on the Draft Environmental Impact Statement.

Western is a major transmission system owner, has to make a determination whether to grant the interconnection request for -- for both the PrairieWinds and for the South Dakota Wind Partners interconnections. We've got to consider that interconnection pursuant to our existing policies, regulations, and laws.

RUS has a determination to make too, and that's whether to provide that financial assistance to PrairieWinds.

The proposed interconnection would integrate power generated at the project, whichever location is

chosen, into the regional transmission grid for use by the Applicants. The project would include the construction, the operating, and the maintenance of access roads, overhead and underground electrical collector lines, a new collection substation that we talked about, a communication system, and then again the interconnection at either the Wessington Springs substation or the Winner substation.

As you came into the room this evening we asked that you sign in on the sign-in sheet and to indicate if you want to speak. If you haven't made an indication you want to speak, I will call your -- call your name if you have indicated. If not, we'll leave it open to anyone who wants to speak is welcome to make a comment.

Again, the formal part of the public hearing is to not ask questions of us but to give us comments that you want to be considered for the Final Environmental Impact Statement as prepared.

After the formal public hearing the representatives that I've introduced to you earlier will be here if you do have questions that you'd like answered informally.

If you prefer -- we've talked about the oral comments. We'll get to those. We'll call upon the people who want to give an oral comment this evening.

In addition to or instead of you're also welcome to give a written comment. We've got forms prepared for you if you want to use that. It has the address. Again, all the information goes to Ms. Liana Reilly, and that's on the back of this form, including her address.

The comments, if you're going to do it in writing, are due by March 1, 2010 if they're to be considered as part of our Final Environmental Impact Statement within that impact statement. These comments can either be faxed, mailed, or you can put it on an e-mail, and we do have the e-mail address available for you also. All written comments and all oral comments will become part of the administrative record.

Again, I did mention we had a court reporter here this evening. It's Ms. Cheri Wittler. If you want a copy of the transcript, you can get ahold of Liana Reilly and she'll be able to give you the information on how to do that.

All substantive comments that are received at tonight's hearing and in writing, either e-mail, fax, or regular mail by March 1 will be considered and addressed in the Final Environmental Impact Statement. The comments that you all provide help the decision-makers -- that's both Western and RUS -- in identifying the concerns and values of the interested parties.

Upon the expiration of that -- of the comment period a Final Environmental Impact Statement will be prepared. We're anticipating that in the April/May 2010 time frame.

Following the issuance of that Final Impact Statement and filing of that Statement with the Environmental Protection Agency, there's a 30-day waiting period before Western and RUS make their decisions. Western again has to make a decision whether to grant the interconnection request of the Applicants, and RUS must consider granting the financial assistance request to PrairieWinds.

Those decisions will be made in separate records of decision. We call those RODs. And the time frame anticipated for those will be the June/July 2010 time frame.

Somebody did sign up for saying they want to speak. We'll let them have the opportunity to go first. Since we're in a small room, we won't make you come all the way up to the front of the room, but we will ask that you stand and also that you state your name and spell your name for the court reporter.

Let's see. Mr. Weidner, did you want to -- did you want to make a comment?

Okay. Could you stand up and give us the

spelling of your name if you'd like to give a statement.

Reference 19 MS. WEIDNER: It's Fred, and Weidner is spelled W-E-I-D-N-E-R. And there's several reasons that I thought it would be good for the Tripp County area, not to take anything against -- away from the other area. We all are fighting to keep our own kids here and at home so they don't have to go to Chicago or New York or

19.1 California. And so I think it would help out South Dakota regardless which area it's in. But I think

19.2 there is some advantages to the Winner area.

19.3 Personally as a landowner down there -- I own land in that area, and it's grassland. So I could see if I was a farmer and I lived in Iowa or someplace, I would question those things standing out there because you'd have to farm around them, spray around them. You know, it would be some problem. Where out there in the middle of a prairie where there's just cows and horses or whatever it's not going to bother anything. So I think that would be a real asset.

And I don't know the area up there if that's farm ground. I have no idea. But I do know that a lot of that area down in there is grassland up in them hills. It could never be farmed so it would be an ideal spot to put them.

Another thing that I thought would be a real

19.4

advantage -- and I think Joel mentioned this and maybe it will be talked about more, but I think it's definitely worth talking about. The Rapid City area, as we all know, is warmer than most any other part in this state.

That area, if you've seen maps of how the -- how the heat relates to South Dakota, it dips down into Nebraska. It dips back up around the Winner area and then back down into Nebraska.

So basically what I'm saying, the Winner area there, Tripp County, has a lot of the same weather that Rapid City has. So, therefore, we would be warmer longer in the fall and also warm up sooner in the spring. So you could easily get, you know, two, three, maybe four more weeks of service from that Tripp County area because of the warmer area.

And so, you know, I guess those two things would be my main concern, thinking that it would probably be better than the other area.

THE HEARING OFFICER: Thank you. We're here to take comments. No one else signed up, but we're welcome to have people talk. If you want to raise your hand.

Please, if you could stand up and give us your name.

Reference 20

MR. KEIERLEBER: I'm Joel Keierleber. It's K-E-I-E-R-L-E-B-E-R. And I'm from the Tripp County area

too. And I've done quite a bit of working on stuff with different companies trying to get wind development down in that area.

20.1 And I just kind of wondered where they do have quite a bit of wind studies and stuff down in that area now through this project if there would be some way that these economic development communities -- I know Tripp County and Gregory County are both trying to entice different developers in. If a person could get some of the access to the wind studies and stuff on these developments.

THE HEARING OFFICER: Thanks for the comments. Again, during the formal part of the public hearing we're not here to answer questions, but there are people here that would be more than willing to talk to you after the public hearing.

Is there anyone else that would like to make a comment this evening?

Yes, sir. If we could have your name, that would be great.

Reference 21 MR. WEST: I am Nathan West, and I am here representing the Kimball Chamber of Commerce and am

21.1 actually a business owner also. We thought we needed a representative here today just to go through and see what it's all about and get our -- in our area it would really

21.11 continued

help -- also like this gentleman was saying about the kids in the area. And we have a lot of people going to -- with Mitchell Tech and all of that are learning about how the wind turbines work and all of that. And they -- they're in our area too. So I just wanted -- we're representing the Crow Lake area.

THE HEARING OFFICER: And Your last name is spelled?

MR. WEST: West. W-E-S-T.

THE HEARING OFFICER: Thank you. I appreciate that.

Do we have anyone else that would like to make a comment?

We've blocked off to be here for a while so I'm not going to end the public hearing right now. We're going to take a brief recess.

If any of you do want to leave, you're welcome to. We're not going to keep you here. If you would like to make a comment, we're going to be around for a while. We'll go back on the record, in case people do come in later.

We do again have these written comment forms that you can use. It does have Liana Reilly's name, the address on it. It looks like we've got the e-mail address on it and the fax phone number -- fax number

also. You're welcome to take these. Even if you've made a comment, you can still mail one in. And we do have copies also of the Draft Environmental Impact Statement.

If you do want to send in a written comment, whatever format, again, we do need to receive it by March 1 of 2010 in order to be considered.

Does anyone want to make a statement before we take a brief recess? Again, we'll go back on the record in a little bit here.

We're going to go ahead and take a brief recess. We're at about 5:25 now.

(A recess is taken)

THE HEARING OFFICER: This is Gary Hoffman. We're back on the record. It is now 7 o'clock on February 11. We have no one else has shown up for the meeting. We have no one else to give any comments so we're going to go ahead and formally close the public hearing. Thanks.

(The proceeding concluded at 7 o'clock p.m.)

STATE OF SOUTH DAKOTA)

:SS CERTIFICATE

COUNTY OF SULLY)

I, CHERI MCCOMSEY WITTLER, a Registered Professional Reporter, Certified Realtime Reporter and Notary Public in and for the State of South Dakota:

DO HEREBY CERTIFY that as the duly-appointed shorthand reporter, I took in shorthand the proceedings had in the above-entitled matter on the 11th day of February, 2010, and that the attached is a true and correct transcription of the proceedings so taken.

Dated at Onida, South Dakota this 12th day of February, 2010.

_____

Cheri McComsey Wittler,
Notary Public and
Registered Professional Reporter
Certified Realtime Reporter

South Dakota PrairieWinds Project
Draft Environmental Impact Statement (DEIS)

Thank you for your interest in the proposed South Dakota PrairieWinds Project (Project). Please complete the appropriate sections of this form to be included on the Project mailing list and/or to provide comments. Written comments can be submitted at the Public Hearing and Open House Meeting, faxed to (720) 962-7263, mailed to the address on the back of this form or sent to the **Project Email Address: sdprairiewinds@wapa.gov.** Comments must be received by **March 1, 2010**. For more information about the Project, please go to the **Project Website: http://www.wapa.gov/transmission/sdprairiewinds.htm.**

22.1 ☐ I would like to be kept informed of the ongoing progress of this Project. Please include my name on the mailing list.
☑ I prefer electronic/email communication.
☐ I prefer paper mailings.

Comment Reference Document 22

Please Print Contact Info Below

Name: Dennis Assman

Organization:

E-mail address:

Daytime Phone No. *(optional)*:

Please indicate any questions, comments or concerns you have about the Project in the comment section below (continue on separate sheet if necessary).

22.2 We are definitely in favor of the Prairie Winds Project. We are not personally involved with this project, but any type of wind power development in Tripp County would be a positive for all the citizens of the county. The potential for jobs & tax income to the county is a definite plus.

22.3 Also, we would appreciate the release of the Basin's wind study to the public. This release would be advantageous to any future development of wind power in our county & the surrounding area.

Thank you for your time and interest in the South Dakota PrairieWinds Project.

Ms. Liana Reilly
Western Area Power Administration
Corporate Services Office, A7400
P.O. Box 281213
Lakewood, Colorado 80228-8213

Comment Reference Document 23

January 12, 2009

Ms. Liana Reilly
Western Area Power Administration
P.O. Box 281213
Lakewood, Colorado 80228-8213

Re: Environmental Impact Study Comments

I received the information the Environmental Impact Study for the Prairie Winds Project in South Dakota from Mark S. Clark, Director, Engineering and Environmental Staff.

I want to tell you about my recent bus trip to Seattle, Washington from Rapid City, South Dakota. Riding thru the State of Montana was like riding through chimney smoke it was sooo, smoky, sooty, and dirty. The air was so dirty and polluted the entire sky was dark grey. At one of the bus stops I asked one of the clerks at a business why the sky was so dreary, dirty, and sooty. I was told that the main source of energy there is coal and wood.

and the pollution was smoke and soot and ashes coming from the chimneys of business and homes.

In my opinion it is a absolute disaster and a major clean up is in order.

Comment:

23.1 → Forget about the Prairie Winds Project and focus on cleaning up and improve energy resources in Montana. Perhaps an alternate source like propane or natural gas. I am sure if we put our heads together this problem can be cleaned up. As they say, "Necessity is the mother of invention."

23.2 → I also believe that focus should be put on promoting and diversifying our farming and Ranching economy for educational, tourism and recreational purposes.

23.3 → Most Urban Americans do not know how food is grown, processed and delivered for their consumption. Also drastic life style changes should be fostered and promoted.

In March 2009 The Indians and Pioneers met at Red Cloud Indian School on the Pine Ridge Lakota Reservation in South Dakota. This meeting was sponsored by the Badlands South Central Resource Conservation and Development Board.

At the Indians and Pioneers meeting a concensus was reached by the people present that there would be no more Construction along the I-90 and I-80 Corridor all across the North American Continent.

23.4 Instead we would focus on repairing, refurbishing and promoting the corridors of I-90 and I-80 for Tourism and recreational Purposes. Basically improve and show off what we already have.

23.5 I do not have a computer so I am writing these Comments Cursive. I do hope you can read my penmanship.

Respectfully Submitted

Ms. Rose M. Clifford - Beardslee
CEO Ochanku Win Fashions

South Dakota PrairieWinds Project
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☒ I would like to be kept informed of the ongoing progress of this Project. Please include my name on the mailing list. 24.1

☒ I prefer electronic/email communication. 24.2

☐ I prefer paper mailings.

Comment Reference Document 24

Please Print Contact Info Below

Name:	Organization:
Debra Gillen	Horizons
E-mail address:	Daytime Phone No. *(optional)*:

24.3 Please indicate any questions, comments or concerns you have about the Project in the comment section below (continue on separate sheet if necessary).

As a member of the Kimball Community I am excited about this project & feel it will bring great opportunities to the area. Kimball is located right on I-90 & has a great reputation as being a friendly & helpful community with lots to offer. Our school is partially new & offers many great learning skills. Midstate Communications offers the top in technology - phone, cable tv & high speed internet. There are various seating entertainment, lodging, grocery store, bank, active legion, fitness center, and many hunting & entertainment possibilities. 24.4

Thank you for your time and interest in the South Dakota PrairieWinds Project.

Comment Reference Document 25

From: "Michael Gray"
To: <sdprairiewinds@wapa.gov>
Date: 2/11/2010 1:54 PM
Subject: Transmission Lines in This area??

I would like to have the transmission lines in the area with "capacity and available" for other projects being worked in the region of South Dakota (150 mile radius) if possible. This would be for the Prairie Winds Project. I would like:

Please send me a copy of the South Dakota PrairieWinds Project

Draft Environmental Impact Statement after it is completed from the 2/11 2010 hearings.

I look forward to working with the WAPA Team when I will get to work a project in South Dakota!

Michael Gray

Site Specialist

Tel:

Fax:

Mble:

www.arionenergy.com <http://www.arionenergy.com/>

Executive Summary

CD

South Dakota PrairieWinds Project
Draft Environmental Impact Statement (DEIS)

Thank you for your interest in the proposed South Dakota PrairieWinds Project (Project). Please complete the appropriate sections of this form to be included on the Project mailing list and/or to provide comments. Written comments can be submitted at the Public Hearing and Open House Meeting, faxed to (720) 962-7263, mailed to the address on the back of this form or sent to the **Project Email Address: sdprairiewinds@wapa.gov.** Comments must be received by **March 1, 2010.** For more information about the Project, please go to the **Project Website: http://www.wapa.gov/transmission/sdprairiewinds.htm.**

26.1 ☑ I would like to be kept informed of the ongoing progress of this Project. Please include my name on the mailing list.

26.2 ☑ I prefer electronic/email communication.

☐ I prefer paper mailings.

Comment Reference Document 26

Please Print Contact Info Below

Name: Peter Hastie	Organization:
E-mail address:	Daytime Phone No. *(optional)*:

Please indicate any questions, comments or concerns you have about the Project in the comment section below (continue on separate sheet if necessary).

Thank you for your time and interest in the South Dakota PrairieWinds Project.

Send to

Ms. Liana Reilly
Western Area Power Administration
Corporate Services Office, A7400
P.O. Box 281213
Lakewood, Colorado 80228-8213

Executive Summary.
CD

STC Company

Comment Reference Document 27

January 20, 2010

Ms Liana Reilly
Western Area Power Administration
PO Box 281213
Lakewood CO 80228-8213

Dear Ms Reilly,

27.1 S.T.C. Company (Septic Tank Cleaning Company) in Wessington Springs is your local sanitary equipment rental company, specializing in Porta-Potty rentals (portable restrooms), as well as septic tank and system pumping and cleaning services. We can deliver, install, and maintain portable units at any of your tower sites, as well as provide tanks for your stationary office trailers.

We will appreciate the opportunity to provide you with a bid for our services this year. Please fax the necessary forms outlining your timeframe, the number of portable units and other services you will be needing, and I will be most happy to provide you with a detailed quote.

We pride ourselves on providing the finest service at the most affordable rates in the surrounding area. We appreciate the opportunity to serve the crews from Wanzek in the past, and we look forward to serving all of your sanitary needs at your upcoming project sites in 2010.

Feel free to call or fax us at any time!

Sincerely,

Harold Hotchkiss

Harold Hotchkiss
Randy Doty
S.T.C. Company

Comment Reference Document 28

Mr. Dennis Bankin.

28.1 I would like to thank you for the opportunity to comment on the proposed South Dakota Prairie Winds Project. I feel it should be

28.2 built in either area.

28.3 My personal preference would be the Winner area. Because that is where I am from and the jobs brought in are much needed, as shown in the impact study.

I would suggest that if the RUS funds either project that both environmental

28.4 and

28.5 wind studies be made available to the public. Tapayer money is being used. The local communities can use this information to expedite other companies to locate and build projects nearby.

Sincerely
Jack Reinders

Molly Cresto

From: sdprairiewinds sdprairiewinds [sdprairiewinds@wapa.gov]
Sent: Wednesday, March 03, 2010 10:26 AM
To: Molly Cresto
Subject: Fwd: SD PrairieWinds DEIS Comment Form

Comment Reference Document 29

Hi Molly-

Can you please add this person.

Thank you!
Liana

>>> <sdprairiewinds_DEIS_comment@wapa.gov> 3/3/2010 9:18 AM >>>

Issues, concerns or questions : Replace this text to list concerns or questions you have about the proposed project.

Mail list yes - E-mail : Yes, add me to the mailing list - e-mail <- 29.1

Name : Chris LaRive

Representing :

Address :

City :

State :

Zip Code :

Fax :

E-mail address :

Comment Reference
Document 30

From: Dr. Fabian Lefu

CONFIDENTIAL INVESTMENT PROPOSAL

Atten: Sir/Madam,

I'm Dr. Fabian Lefu a financial consultant based in Sandton City Johannesburg South Africa.

She wishes to invest in a stable economy Outside South Africa her interest is in companies with potentials for rapid growth in long terms.

30.1 **My client is interested in placing part of her fund in your company, if your country's bi-laws allow foreign investment. You can contact me for more details via my Phone or e-mail with your reference.**

Please on the reply of this Letter for confidentiality I will kindly advice that you reply

Yours Faithfully,
Dr. Fabian Lefu

February 1, 2010

Comment Reference Document 31

Basin Electric Power Cooperative
1717 East Interstate Ave.
Bismark, ND 58503-0564

Ms. Liana Reilly
Western Area Power Administration
O. O. Box 281213
Lakewood, CO 80228-8213

SUBJECT: **Gravel for on-site turbine location**

Dear SD Prairie Winds Project Leaders:

31.1

We would like to be considered for supplying the gravel for any construction needs that your turbine project may need in the southern Tripp County site that you are possibly proposing.

Our gravel site is located in Section 20 of Keya Paha Township, about 15 miles south of Colome. I have enclosed a map of the area. Please note that it is very close to a graveled township road which connects less than 2 miles to State Highway 183. I believe that many of your turbines are to be within this general radius.

The gravel is of excellent quality. It has an excellent packing characteristic that gets very smooth and hard. It requires very low maintenance. Rain does not penetrate its surface nor does snow accumulate on it; therefore, the roads do not get slick or muddy nor is it a dusty material for the wind to blow it around. Tripp County uses the gravel for many of its roads as well as various local townships.

I have listed names and numbers of businesses/individuals for you to contact for additional information on the quality, performance, and durability of our gravel. Please contact them for their opinions.

1. Virgil Novotny, Tripp County Commissioner. Dist.III; 31566 284th Street, Colome, SD 57528 1-605-842-0424/ 605-840-1505 cell (uses it for personal use and Tripp County roads)
2. Barry Grossenburg, Grossenburg & Son Implement; Grossenburg Land & Cattle: 31341 Hwy 18; Winner, SD 57580 1-605-842-2040 Business/ 605-842-0306 Home (uses for implement equipment lot and for personal use in feedlot)
3. Ron DeMers, Wilson township board member; 31846 284th Street; Colome, SD 57528 1-605-842-3340 (township road use and personal use in feedlot)

Please consider the advantages of using our product as to the quality of the gravel and the close proximity of location to your turbine project. Please feel free to call if you would like to discuss the gravel or have any questions.

Thank you.

Roger Turnquist

MAP 23

LAND OWNER

Comment Reference Document 31
Attachment 1

T 96 & 95 N

R 75 W

JOINS MAP 17

320 AVE | 321 AVE | 322 AVE | 323 AVE | 324 AVE | 325 AVE | 326 AVE

292 ST | 293 ST | 294 ST | 295 ST | 296 ST | 297 ST | 298 ST | 299 ST | 300 ST | 301 ST | 302 ST | 303 ST | 304 ST

JOINS MAP 22

JOINS MAP 24

STEWART TWP

KEYA PAHA TWP

JOINS KEYA PAHA COUNTY, NE

Small Tracts

Section 9 N A Rod & Kathy Hermsen - 56.12
B Roger & Janell Heath - 12.48
Section 11 N C Chandlor Shippy - 40
D Janice Grenoble - 40
Section 15 N E Dennis & Shirley DeMers - 40
Section 17 N F Ron Spears - 5.09
Section 21 N G Luke Worsech etux - 20
Section 5 S H Brian & Janna Odden - 40

TRIPP COUNTY, SD

South Dakota PrairieWinds Project
Draft Environmental Impact Statement (DEIS)

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☑ I would like to be kept informed of the ongoing progress of this Project. Please include my name on the mailing list. ← 32.1

☐ I prefer electronic/email communication.

☒ I prefer paper mailings. ← 32.2

Comment Reference Document 32

Please Print Contact Info Below

Name:	Organization:
Nathan West	Kimball Chamber of Commerce
E-mail address:	Daytime Phone No. *(optional)*:

Please indicate any questions, comments or concerns you have about the Project in the comment section below (continue on separate sheet if necessary). 32.3

The Chamber is excited about the project location, Kimball. It will greatly help our small community grow and prosper. We felt it to be important to voice our opinion on this Bill. Thanks

Thank you for your time and interest in the South Dakota PrairieWinds Project.

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South Dakota PrairieWinds Project
Draft Environmental Impact Statement

Public Comments

Additional Written Comment Received
After March 18, 2010

South Dakota Office of Local Transportation Program

Mariah Lownds

From: Molly Cresto
Sent: Friday, April 23, 2010 12:33 PM
To: Mariah Lownds
Subject: FW: Wind Farms in South Dakota

Comment Reference Document 33

>>> <Jennifer.Clements@state.sd.us> 4/21/2010 10:38 AM >>>
I have to apologize for the lateness in my reply to your letters regarding your wind farm proposals in several different counties in South Dakota. While I do realize that you wanted comments long before this, I thought I should still send the information regarding our permit process for these structures.

33.1

Based on letters dated 11/13/09 from the Dept of Energy's office and 1/13/10 from USDA-Rural Development, the proposed projects would involve well over 200 wind turbines in Deuel, Brookings, Jerauld and/or Tripp counties. Any structures over 200' above ground level have to file with the Federal Aviation Administration (FAA) and the State of South Dakota-Office of Local Transportation Programs. If the turbine companies have built wind farms anywhere else, they should already know about the FAA filing requirement but they may not be aware of the State requirements. Please forward this email to anyone proposing a wind farm in SD so that they may contact me about the State process.

33.2

Thank you,

Jennifer Clements, Aeronautics Program Assistant South Dakota Office of Local Transportation Programs 700 East Broadway Avenue Pierre, SD 57501

Phone: (605) 773-4430
Fax: (605) 773-4870
Email: jennifer.clements@state.sd.us

Appendix G

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Appendix G

Biological Documents

- Potential Impact Index (PII)
- February 18, 2010, RUS letter to USFWS
- Biological Assessment (BA)
- March 16, 2010, USFWS response
- Operations and Monitoring Plan (OMP)

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November 24, 2008

Consulting Engineers & Scientists

Terracon Consultants, Inc.
2026 Samco Road, Suite 101
Rapid City, South Dakota 57702
Phone 605.716.2924
Fax 605.716.2926

Ms. Erin Dukart
Basin Electric Power Cooperative
1717 East Interstate Avenue
Bismarck, North Dakota 58503-0564

Phone: (701) 223-0441
Email: edukart@bepc.com

Re: Potential Impact Index for Prairiewinds SD1
Reference (Lake Andes), Crow Lake, Winner, and Fox Ridge Project Sites
Central, South Dakota
Terracon Project No. B4087002

Dear Ms. Dukart;

Terracon Consultants, Inc. (Terracon) has prepared a Potential Impact Index (PII) for the Prairiewinds SD1. The PII was performed in accordance with the Basin Electric Power Cooperative (Basin) Agreement No. 546856 dated April 2, 2008 and Change Order No. 01 dated August 13, 2008, and the U.S. Fish & Wildlife Service (USFWS) Interim Guidance on Avoiding and Minimizing Wildlife Impacts from Wind Turbines dated May 13, 2003.

Terracon has prepared the following narrative which summarizes the PII. The following is for inclusion into the Basin PrairieWinds – SD 1, Alternative Evaluation Analysis and Site Selection Study dated November 2008.

POTENTIAL IMPACT INDEX ASSESSMENT

At the request of the U.S. Department of Agriculture (USDA) Rural Utility Service (RUS), Basin Electric commissioned a Potential Impact Index (PII) Assessment for the Crow Lake, Winner, and Fox Ridge project sites.

The PII Assessment was performed in general accordance with the USFWS Interim Guidance on Avoiding and Minimizing Wildlife Impacts from Wind Turbines dated May 13, 2003 (2003 USFWS Guidance). The PII represents a “first cut” analysis of the suitability of sites proposed for development. It does so by estimating use of the site by selected wildlife species as an indicator of potential impact. Emphasis of the PII is on initial site evaluation and is intended to provide more objectivity than simple reconnaissance surveys.

Although the PII protocol is designed primarily to evaluate potential impacts on aerial wildlife from collision with turbines and infrastructure, potential impacts to fish, other aquatic life, and mammals were also considered.

The PII Assessment utilized the following steps in ranking sites by their potential impact on wildlife:

1. Identification of potential Reference Sites within the general geographic area of the potential project sites being considered for development (Crow Lake, Winner, and Fox Ridge) were evaluated.

2. Selection of a Reference site in an area where wind development would likely result in the maximum negative impact on wildlife, resulting in a high PII score.

3. Evaluation of the potential project sites to assess the risk to wildlife, and to rank the sites relative to each other using the Reference Site as a standard.

Evaluations were conducted by qualified geologist/biologists who were familiar with local and regional geology and wildlife. The final selection of the Reference Site was reviewed and approved by the USFWS. A Site Location Map indicating the approximate location of the Reference, Crow Lake, Winner, and Fox Ridge Sites is included with the PII, attached.

The PII was derived from the results of three checklists (attached) generally following the PII Checklist and Forms provided in the 2003 USFWS Guidance. The checklists were developed and applied as follows:

1. The Physical Attribute checklist considered topographic, meteorological, and site characteristics that may influence bird and bat occurrence and movements.

2. The Species Occurrence and Status checklist includes: Birds of Conservation Concern at the Bird Conservation Region level; federally-listed Endangered, Threatened, and Candidate Species; bird species of high recreational or other value (e.g., waterfowl, prairie grouse); and State Endangered, Threatened, and Rare species listed by the State Natural Heritage Program.

3. The Ecological Attractiveness checklist evaluated the presence and influence of ecological magnets and other conditions that would draw birds or bats to the site or vicinity.

The checklists were developed from readily available public information. References for information utilized in completion of the checklists are included in the References section of the PII Checklists.

Each checklist has boxes that were checked for a particular attribute or species found at the Reference Site or a potential project site. The number of boxes in each checklist was based on variations in the number of physical attributes and species of concern in the region. Each checklist was assigned a divisor (p), which was developed by dividing the number of boxes in a checklist by the total number of boxes in all three checklists. Boxes in a checklist were checked if the condition or species was known or strongly suspected to occur. The PII was calculated from the checklist totals for each of the Potential Project Sites and the Reference Site.

Based on the results of the PII, the Reference Site had a total score of 331 compared to a total score of 269 for the Winner Site, 239 for the Crow Lake Site, and 214 for the Fox Ridge Site. The conclusion of the PII Checklist includes the need for additional site specific environmental analysis and site reconnaissance for the selected potential project sites.

Closure

The PII is not intended to be all-inclusive relative to objectives, methods, and analysis nor to serve as the definitive reference or directive for any step in wind power related investigations. No adequate and defensible information exists regarding the appropriateness of the potential project site being evaluated relative to impacts to wildlife. Terracon does not warrant the work of regulatory agencies or other parties supplying information, which may have been used during the preparation of the PII. Information obtained for the PII was received from several sources that we believe to be reliable; nonetheless, the authenticity or reliability of these sources cannot and is not warranted hereunder. No warranties, express or implied, are intended or made.

Please contact us if you have questions regarding this information or if we can provide any other services.

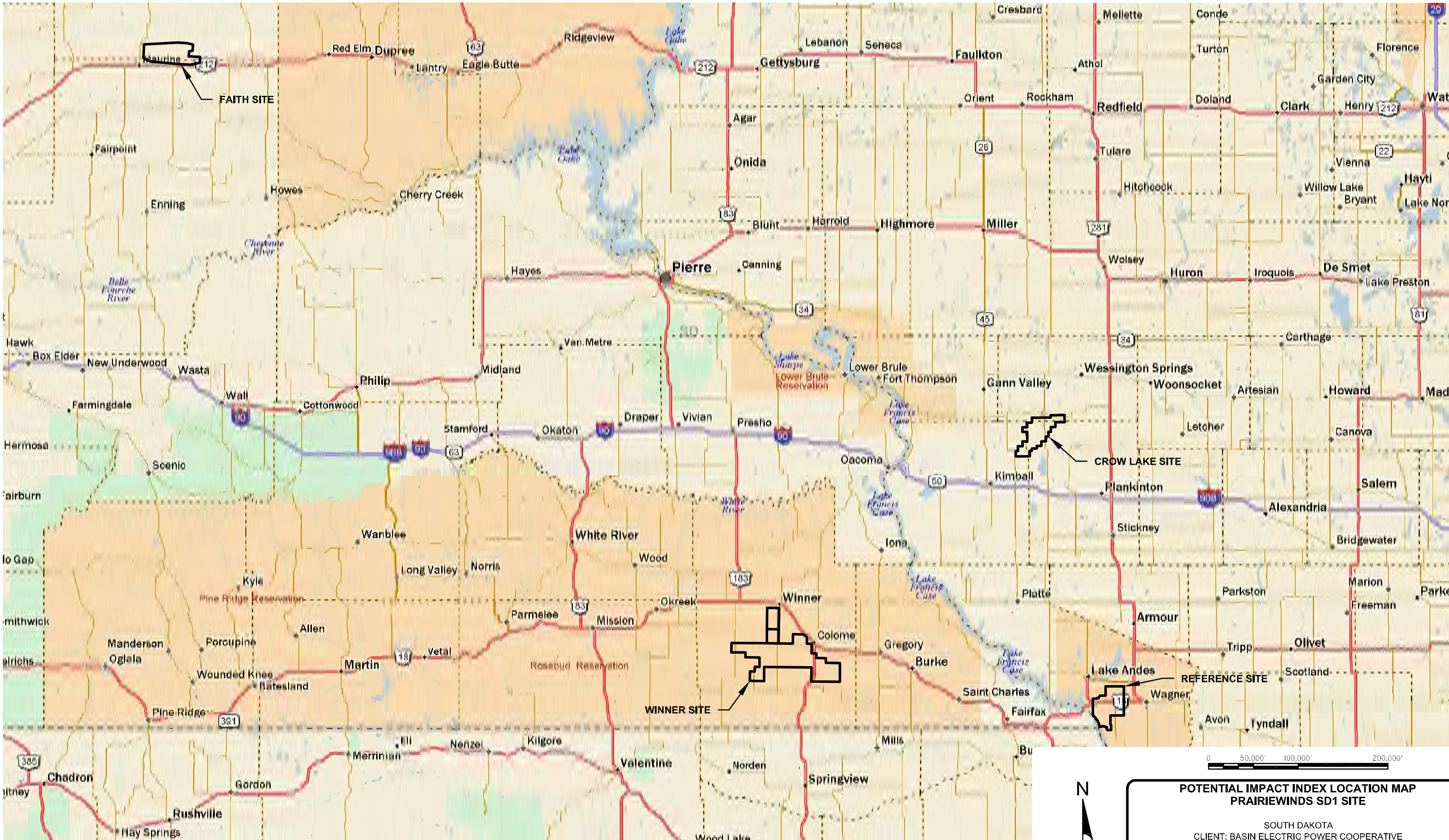
Sincerely,
TERRACON CONSULTANTS, INC.

James I. Van Blaricon
Senior Environmental Biologist

Mary E. Wells, P.E.
Principal

Attachments: Potential Impact Index

C:\Terracon\Projects\2008\B4087002\Report\PII\PII_Cover_112408.doc



NOTE
MAP PROVIDED BY DELORME STREET ATLAS USA.

DIAGRAM IS INTENDED FOR GENERAL USE ONLY, AND IS NOT FOR CONSTRUCTION PURPOSES. LOCATIONS ARE APPROXIMATE.

POTENTIAL IMPACT INDEX LOCATION MAP
PRAIRIEWINDS SD1 SITE

SOUTH DAKOTA
CLIENT: BASIN ELECTRIC POWER COOPERATIVE

Project Mngr:	JIV	Terracon 1815 S. Eisenhower Wichita, Kansas 67209 Phone: (316) 262-0171 Fax: (316) 262-6997	Scale:	SHOWN
Designed By:	JIV		Date:	11/24/08
Checked By:	JIV		Project No.	B4087002
Approved By:	JIV		File Name:	7002F1.DWG
Drawn By:	BCB		Figure No.	1

PHYSICAL ATTRIBUTE CHECKLIST

		REFERENCE SITE	CROW LAKE, SD	WINNER, SD	FOX RIDGE, SD
	Physical Attribute	Northwestern Glaciated Plains: Southern Missouri Coteau Slope and Southern River Breaks	Northwestern Glaciated Plains: Southern Missouri Coteau	Northwestern Great Plains: Subhumid Pierre Shale Plains, Northwestern Great Plains: Keya Paha Tablelands, Northwestern Glaciated Plains: Ponca Plains	Northwestern Great Plains: Moreau Prairie
Topography	Gulch	X			
	Ridge	X	X	X	X
	Saddle	X		X	
	Butte	X		X	X
	Plateau	X		X	
	Canyon	X			X
	Plain	X	X	X	
	Bluff	X	X	X	X
	Valley	X	X	X	X
	Ground Moraine	X			
	Hummock	X			
	Potholes	X	X	X	
	Hill	X	X	X	X
Wind Direction	S	X	X	X	
	N				X
	E				
	W				
	Updrafts	X	X	X	X
Migratory Corridor Potential	Latitudinal (N <-> S)	X	X	X	X
	Longitudinal (E <-> W)	X			
	Wide Approaches (>30 km)	X	X	X	X
	Funnel Effect - Horizontal		X	X	
	Funnel Effect - Vertical	X		X	X
Site Size (acres) & Configuration	<640	X	X	X	X
	>640<1000	X	X	X	X
	>1000<1500	X	X	X	X
	Turbine Rows not Parallel to				
Infrastructure to Build	Transmission	X	X	X	X
	Roads	X	X	X	X
	Buildings	X	X	X	X
	Maintenance	X	X	X	X
	Daily Activity	X	X	X	X
	Substation	X	X	X	X
Increased Activity		X	X	X	X
Totals		29	21	25	21

AVIAN SPECIES OF CONCERN

	REFERENCE SITE			CROW LAKE, SD			WINNER, SD			FOX RIDGE, SD		
Birds (n=)												
Occurrence	**B**	**M/W**	**∑**	**B**	**M/W**	**∑**	**B**	**M/W**	**∑**	**B**	**M/W**	**∑**
Upland Sandpiper (*Bartramia longicauda*), FBCC	X		1	X		1	X		1	X		1
Solitary Sandpiper (*Tringa solitaria*), FBCC		X	1		X	1		X	1		X	1
Buff-breasted Sandpiper (*Tryngites subruficollis*), FBCC		X	1		X	1		X	1		X	1
Wilson's Phalarope (*Phalaropus tricolor*), FBCC	X		1	X		1	X		1	X		1
Common Loon (*Gavia immer*), SR								X	1			
Horned Grebe (*Podiceps auritus*), SR												
Red-Necked Grebe (*Podiceps grisegena*), SR												
Clark's Grebe (*Aechmophorus clarkii*), SR												
Least Bittern (*Ixobrychus exilis*), SR												
Bufflehead (*Bucephala albeola*), SR												
Hooded Merganser (*Lophodytes cucullatus*), SR												
Common Merganser (*Mergus merganser*), SR												
Yellow Rail (*Coturnicops noveboracensis*), SR, FBCC												
King Rail (*Rallus elegans*), SR												
Black-Necked Stilt (*Himantopus mexicanus*), SR												
Brewer's Sparrow (*Spizella breweri*), SR, FBCC												
Henslow's Sparrow (*Ammodramus henslowii*), SR, FBCC												
Sharp-Tailed Sparrow (*Ammodramus nelsoni*), SR, FBCC												
Marbled Godwit (*Limosa fedoa*), FBCC	X		1	X		1	X		1	X		1
Black-billed Cuckoo (*Coccyzus erythropthalmus*), FBCC	X		1	X		1	X		1	X		1
Grashopper Sparrow (*Ammodramus savannarum*), FBCC	X		1	X		1	X		1	X		1
Amercian Golden Plover (*Pluvialis dominica*) FBCC												
Snowy Plover (*Charadrius alexandrinus*), FBCC												
Mountain Plover (*Charadrius montanus*), SR, FBCC												
Mccown's Longspur (*Calcarius mccownii*), SR, FBCC												
Chestnut-collared Longspur (*Calcarius ornatus*), FBCC	X		1	X		1	X		1	X		1
Eastern Meadowlark (*Sturnella magna*), SR												
Cassin's Finch (*Carpodacus cassinii*), SR, FBCC												
Le Conte's Sparrow (*Ammodramus leconteii*), SR, ,FBCC		X	1		X	1		X	1		X	1
Baird's Sparrow (*Ammodramus bairdii*), SR, FBCC										X		1
Dickcissel (*Spiza americana*), FBCC	X		1	X		1	X		1	X		1
Long-Billed Curlew (*Numenius americanus*), SR, FBCC							X		1	X		1
American White Pelican (*Pelecanus erythrorhynchos*), SR	X	X	2	X	X	2	X	X	2		X	1
Great Blue Heron (*Ardea herodias*), SR	X	X	2		X	1		X	1			

AVIAN SPECIES OF CONCERN

	REFERENCE SITE			CROW LAKE, SD			WINNER, SD			FOX RIDGE, SD		
Little Blue Heron (*Egretta caerulea*), SR					X	1						
Tricolored Heron (*Egretta tricolor*), SR												
Green-Backed Heron (*Butorides virescens*), SDR												
Great Egret (*Casmerodius albus*), SR	X		1									
Snowy Egret (*Egretta thula*), SR	X		1									
Yellow-Crowned Night-Heron (*Nycta)nassa violacea),* SR												
Black-Crowned Night-Heron *(Nycticorax nycticorax),* SR	X		1									
White-Faced Ibis (*Plegadis chihi*), SR												
Cooper's Hawk *(Accipiter cooperii), SR*	X	X	2					X	1			
Swainson's Hawk *(Buteo swainsoni),* SR, FBCC	X		1	X		1	X		1	X		1
Ferruginous Hawk (*Buteo regalis*), SR, FBCC	X		1	X		1	X		1	X		1
Sharp-Shinned Hawk (*Accipiter striatus*), SR												
Northern Goshawk (*Accipiter gentilis*), SR												
Broad-Winged Hawk (*Buteo platypterus*), SR												
Merlin (*Falco columbarius*), SR												
Prairie Falcon (*Falco mexicanus*), SR, FBCC								X	1			
Northern Harrier (*Circus cyaneus*), FBCC	X	X	2	X	X	2	X		1	X		1
Golden Eagle (*Aquila chrysaetos*), SR, FBCC	X		1					X	1	X	X	2
Gunnison Sage-Grouse (*Centrocercus minimus*), FBCC												
Barn Owl (*Tyto alba*), SR												
Burrowing Owl *(Athene cunicularia),* SR, FBCC	X		1	X		1	X		1	X		1
Northern Saw-Whet Owl (*Aegolius acadicus*), SR												
Flammulated Owl (*Otus flammeolus*), SR, FBCC												
Long-Eared Owl (*Asio otus*), SR												
Short-eared Owl (*Asio flammeus*), FBCC	X	X	2	X	X	2	X	X	2	X	X	2
Red-headed Woodpecker (*Melanerpes erythrocephalus*), FBCC	X		1									
Lewis' Woodpecker (*Melanerpes lewis*), SR, FBCC												
Three-Toed Woodpecker (*Picoides tridactylus*), SR												
Black-Backed Woodpecker (*Picoides arcticus*), SR												
Pileated Woodpecker (*Dryocopus pileatus*), SR												
Olive-Sided Flycatcher (*Contopus cooperi*), SR												
Cassin's Kingbird (*Tyrannus vociferans*), SR												
Clark's Nutcracker (*Nucifraga columbiana*), SR												
Pygmy Nuthatch (*Sitta pygmaea*), SR												
Brown Creeper (*Certhia americana*), SR												
Blue-Gray Gnatcatcher (*Polioptila caerulea*), SR												

AVIAN SPECIES OF CONCERN

	REFERENCE SITE			CROW LAKE, SD			WINNER, SD			FOX RIDGE, SD		
Veery (*Catharus fuscescens*), SR												
Wood Thrush (*Hylocichla mustelina*), SR												
American Woodcock *(Scolopax minor), SR*	X		1									
California Gull (*Larus californicus*), SR					X	1						
Common Tern (*Sterna hirundo*), SR												
Black Tern *(Chlidonias niger),* SR	X		1	X		1	X		1	X		1
Loggerhead Shrike (*Lanius ludovicianus*), FBCC	X		1	X		1	X		1	X		1
Common Poorwill (*Phalaenoptilus nuttallii*), SR							X		1	X		1
Chuck-will's-widow (*Caprimulgus caronlinensis*), SR												
Whip-Poor-Will *(Caprimulgus vociferus), SR*	X		1									
Ruby-Throated Hummingbird (*Archilochus colubris*), SR												
Northern Mockingbird (*Mimus polyglottos*), SR	X		1	X		1	X		1	X		1
Sage Thrasher (*Oreoscoptes montanus*), SR										X	X	2
Sprague's Pipit (*Anthus spragueii*), SR, FBCC												
Bobolink (*Dolichonyx oryzivorus*), FBCC	X		1	X		1	X		1	X		1
Black-And-White Warbler (*Mniotilta varia*), SR												
Cerulean Warbler (*Dendroica cerulea*), SR												
Virginia's Warbler (*Vermivora virginiae*), SR, FBCC												
Scarlet Tanager (*Piranga olivacea*), SR												
Bewick's Wren (*Thryomanes bewickii*), FBCC												
Gray Vireo (*Vireo vicinior*), FBCC												
Bell's Vireo (*Vireo bellii*), FBCC	X		1	X		1	X		1	X		1
Yellow -Throated Vireo *(Vireo flavifrons),* SR	X		1									
Subtotals	28	8	36	18	9	27	20	10	30	22	7	29
		Total	36			27			30			29

BAT SPECIES OF CONCERN

	REFERENCE SITE			CROW LAKE, SD			WINNER, SD			FOX RIDGE, SD		
Bats (n =)												
Occurrence	**B**	**M/W**	**∑**	**B**	**M/W**	**∑**	**B**	**M/W**	**∑**	**B**	**M/W**	**∑**
Northern myotis (*Myotis septentrionalis*), SR	X	X	2									
Silver-haired bat (*Lasionycteris noctivagans*), SR	X	X	2									
Long-Eared Myotis (*Myotis evotis*), SR												
Fringe-Tailed Myotis (*Myotis thysanodes pahasapensis*), SR												
Townsend's Big-Eared Bat (*Corynorhinus townsendii*), SR												
Evening Bat (*Nycticeius humeralis*), SR												
Subtotals	2	2	4									
		Total	4									

SPECIES OCCURRENCE & STATUS

		REFERENCE SITE			CROW LAKE, SD			WINNER, SD			FOX RIDGE, SD		
	Occurrence	**B**	**M/W**	**∑**	**B**	**M/W**	**∑**	**B**	**M/W**	**∑**	**B**	**M/W**	**∑**
Threatened & Endangered (includes wildlife, fish, and plants)	Whooping Crane (*Grus americana*), FE, SE		X	1		X	1		X	1		X	1
	Piping Plover (*Charadrius melodus*), FT, ST	X		1	X		1						
	Bald Eagle (*Haliaeetus leucocephalus*), ST	X	X	2				X	X	2			
	Osprey (*Pandion haliaetus*), ST								X	1			
	Eskimo Curlew (*Numenius borealis*), FE, SE												
	Least Tern (*Sterna antillarum*), FE, SE	X		1									
	American Dipper (*Cinclus mexicanus*), ST												
	Peregrine Falcon (*Falco peregrinus*), SE, SR, FBCC												
	Topeka Shiner (*Notropis topeka*), FE	X		1									
	Northern Redbelly Dace (*Phoxinus eos*), ST	X		1				X		1			
	Blacknose shiner (*Notropis heterolepis*) SE							X		1			
	Sturgeon chub (*Macrhybopsis gelida*), ST				X		1	X		1			
	Finescale Dace (*Phoxinus neogaeus*), SE	X		1	X		1	X		1			
	Pallid Sturgeon (*Scaphirhynchus albus*), FE, SE	X		1									
	American burying beetle (*Nicrophorus americanus*), FE	X		1				X		1			
	Gray Wolf (*Canis lupus*), FE												
	Black-Footed Ferret (*Mustela nigripes*), SE, FE												
	Swift Fox (*Vulpes velox*), ST	X		1									
	Northern River Otter (*Lontra canadensis*), ST												
	Lynx (*Lynx canadensis*), FT												
	False Map Turtle (*Graptemys pseudogeographica*), ST	X		1	X		1						
	Lined Snake (*Tropidoclonion lineatum*), SE												
	Eastern Hognose Snake (*Heterodon platirhinos*), ST	X		1									
Candidate													
Special Concern	Birds (max ∑=)	28	8	36	18	9	27	20	10	30	22	7	29
	Bats (max ∑=)	2	2	4									
Subtotals		41	12	53	22	10	32	26	13	39	22	8	30
Total				53			32			39			30

ECOLOGICAL ATTRACTIVENESS

Ecological Attractor			REFERENCE SITE		CROW LAKE, SD		WINNER, SD		FOX RIDGE, SD	
				Within 5 miles		Within 5 miles		Within 5 miles		Within 5 miles
Migration Route	Local		X		X		X		X	
	Continental	N	X		X		X		X	
		S	X		X		X		X	
		E								
		W								
Ecological Magnets	Lotic System		X		X		X		X	
	Lentic System		X		X		X		X	
	Wetlands		X		X		X			
	Native Grassland		X		X		X		X	
	Forest		X		X		X			
	Food Concentrated									
	Energetic Foraging									
	Vegetation / Habitat	Unique		X						
		Diverse								
Significant Ecological Event										
Site of Special Conservation Status				X						
Total				10		8		8		6

POTENTIAL IMPACT INDEX

	REFERENCE SITE		CROW LAKE, SD		WINNER, SD		FOX RIDGE, SD	
Checklist (p)	Σ	Σ/p	Σ	Σ/p	Σ	Σ/p	Σ	Σ/p
Physical (0.20)	29	145	21	105	25	125	21	105
Species Occurrence & Status (0.71)	53	75	32	45	39	55	30	42
Ecological (0.09)	10	111	8	89	8	89	6	67
Totals		331		239		269		214

REFERENCE SITE COMMENTS

Physical	Site considerations should also include land use, historical/archeological significance and socioeconomics.
	The Missouri River bourders the site to the southwest and the Prairie Pothole region to the north.
Species Occurrence	Potential additional study needs should include additional site specific environmental analysis and site reconnaissance of the selected potential project site. In the case of federally listed threatened, endangered, or candidate species of wildlife, fish, or plants, consultation with the Fish and Wildlife Service under the Endangered Species Act is required.
Ecological	Lake Andres National Wildlife Refuge located 3 miles to the North
	Karl E. Mundt National Wildlife Refuge located directly across the Missouri River to the Southwest
	Karl E. Mundt NWR is a habitat for 100-300 bald eagles and protects a critical winter roost habitat for bald eagles.
	Karl E. Mundt NWR is in the southern end of the prairie pothole region and is critical waterfowl habitat.

WINNER SITE COMMENTS

Physical	Site considerations should also include land use, historical/archeological significance and socioeconomics.
Species Occurrence	Potential additional study needs should include additional site specific environmental analysis and site reconnaissance of the selected potential project site. In the case of federally listed threatened, endangered, or candidate species of wildlife, fish, or plants, consultation with the Fish and Wildlife Service under the Endangered Species Act is required.
Ecological	Beaulieu Lake State Game Production Area
	McLaughlin Dam State Game Production Area
	Dog Ear Lake State Game Production Area
	Little Dog Ear Lake State Game Production Area

CROW LAKE COMMENTS

Physical	Site considerations should also include land use, historical/archeological significance and socioeconomics.
Species Occurrence	Potential additional study needs should include additional site specific environmental analysis and site reconnaissance of the selected potential project site. In the case of federally listed threatened, endangered, or candidate species of wildlife, fish, or plants, consultation with the Fish and Wildlife Service under the Endangered Species Act is required.
Ecological	USFWS Grassland Easements:
	E/2 and SW/4 of Sec. 36, Township 105 N, Range 67 W in Brule County
	W/2 of Sec. 3, Township 105 N, Range 66 W in Aurora County
	Sec. 4, Township 105 N, Range 66 W in Aurora County
	SW/4 SW/4 of Sec. 31, Township 105 N, Range 66 W in Aurora County
	Crow Lake State Game Production Area <1 mile from site

FOX RIDGE SITE COMMENTS

Physical	Site considerations should also include land use, historical/archeological significance and socioeconomics.
	The northwestern corner of the state has produced most of the dinosaurs found in South Dakota. Areas of Paleontological significance include Meade County.
Species Occurrence	Potential additional study needs should include additional site specific environmental analysis and site reconnaissance of the selected potential project site. In the case of federally listed threatened, endangered, or candidate species of wildlife, fish, or plants, consultation with the Fish and Wildlife Service under the Endangered Species Act is required.
Ecological	

References

U.S. Fish & Wildlife Service, South Dakota Field Office Website, Endangered Species by County List, http://www.fws.gov/southdakotafieldoffice/endsppbycounty.htm

South Dakota Wildlife Diversity Program, South Dakota Falcons Website, Eileen Dowd Stukel, http://www.sdgfp.info/Wildlife/Diversity/Digest%20Articles/falcons.htm

NatureServe Explorer Website Database, http://www.natureserve.org/explorer/servlet/NatureServe?post_processes=PostReset&loadTemplate=nameSearchSpecies.wmt&Type=Reset

U.S. Fish & Wildlife Service, Lake Andes National Wildlife Refuge Complex Website, Birds of the Lake Andes National Wildlife Refuge Complex, http://www.fws.gov/lakeandes/birdlist.html

South Dakota Wildlife Diversity Program, Threatened, Endangered, and Candidate Species of South Dakota, http://www.sdgfp.info/Wildlife/Diversity/TES.htm

South Dakota Wildlife Diversity Program, Rare, Threatened or Endangered Animals Tracked by the South Dakota Natural Heritage Program, http://www.sdgfp.info/Wildlife/Diversity/RareAnimal.htm

U.S. Geological Survey, Northern Prairie Wildlife Research Center Website, Ecoregions of North Dakota and South Dakota, http://www.npwrc.usgs.gov/resource/habitat/ndsdeco/42h.htm

U.S. Geological Survey, Northern Prairie Wildlife Research Center Website, Fragile Legacy, Endangered, Threatened & Rare Animals of South Dakota, http://www.npwrc.usgs.gov/resource/wildlife/sdrare/index.htm#contents

U.S. Geological Survey, Northern Prairie Wildlife Research Center Website, The South Dakota Breeding Bird Atlas, http://www.npwrc.usgs.gov/resource/birds/sdatlas/toc.htm#podicipedidae

Terraserver – www.terraserver.com

National Climatic Data Center (NCDC) NOAA Satellite and Information Center Wind Maps http://cdo.ncdc.noaa.gov/cgi-bin/climaps/climaps.pl

South Dakota State University, Climate and Weather, http://climate.sdstate.edu/climate_site/HTML/climate_page_html.htm

Google Maps, http://maps.google.com/

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USDA Rural Development

United States Department of Agriculture
Rural Development

February 18, 2010

Mr. Pete Gober, Field Supervisor
U.S. Fish and Wildlife Service
South Dakota Field Office
420 South Garfield Ave., Suite 400
Pierre, South Dakota 57501-5408

RE: Endangered Species Act Section 7 Consultation, Proposed South Dakota Prairie Winds Facility, Aurora, Brule, and Jerauld Counties, South Dakota

Dear Mr. Gober:

The U. S. Department of Agriculture, Rural Utilities Service (RUS), and the Western Area Power Administration, an agency of the U.S. Department of Energy (Western) [the Agencies] are currently considering whether to provide financing and a transmission interconnection, respectively, for the construction of a 150-MW wind turbine generating facility on mixed prairie/rangeland in Aurora, Brule and Jerauld Counties, South Dakota. The proposed South Dakota Prairie Winds Facility (SDPW, project), would be developed, constructed, and operated by PrairieWinds SD1, Inc., a subsidiary of Basin Electric Power Cooperative, Inc. (Basin), of Bismarck, North Dakota.

RUS' and Western's proposed actions are considered federal actions under the National Environmental Policy Act (NEPA) and related statutes (including the Endangered Species Act of 1973 (ESA)), and according to their regulations, the Agencies have prepared an environmental impact statement (EIS) for the proposed project. As agreed to by RUS and Western, RUS has led consultation with your office under Section 7(a) of the ESA; the information and conclusions herein, including the Biological Assessment (BA), support the joint determinations of the Agencies. We seek your concurrence with our determinations of effect to federally-listed species.

The BA describes the proposal in more detail and provides species accounts and related information to support our determinations of effect. The BA was prepared by Basin and its contractor, Heritage Environmental Consultants. We have reviewed and revised the BA and consider it to properly represent the Agencies' views.

Project Description

The proposed project would consist of a wind-powered electricity generation facility with a nameplate rating of up to 151.5 MW. The project area is located approximately 15 miles north of White Lake and 17 miles south of Wessington Springs, South Dakota. The site discussed in the BA is the current preferred alternative; the draft EIS fully discusses the alternatives and site selection analyses. Proposed plans include the installation of up to 101 1.5-MW wind turbines within an area of approximately 37,000 acres (58 square miles).

Turbines would be located on hills and ridges in an area predominated by mixed-grass prairie (rangeland, pastureland and CRP/prairie), along with some cultivated cropland and scattered farmsteads. Wetland basin density in the Project area is nine to 10 basins per square mile which is relatively low for the Prairie Pothole Region. Based on field verification and aerial photography, wetlands account for 517 acres of the Project area. The density of wetlands within the Project area is comparable to adjacent areas

Project infrastructure would include 101 wind turbine generators (General Electric 1.5 SLE model), two substations, a temporary laydown yard, access roads, buried collector lines, fiber optic communication lines, a 230-kV transmission line, and an O&M building. Power would be delivered to the grid via a new interconnection point at the existing Western Wessington Springs Substation. Eleven miles of new 230kV transmission line would connect the facility to the substation. Project planning and analysis included 10 additional turbine locations to allow for limited grid re-arrangement as necessary. Late in the planning process, a separate proposal for 7 turbines was accepted by Basin for location in the extreme northeast portion of the project area. It is considered that, *de facto*, the EIS and BA analyses included these turbines.

Each wind turbine would have a hub height of 262 feet (80 meters) and a wind turbine rotor diameter of 252 feet (77 meters). The rotor swept area is 49,876 square feet (1.14 acres). The total height of each wind turbine would be 389 feet (118.5 meters) with a blade in the vertical position. The wind turbine tower would be constructed of tubular steel, approximately 15 feet in diameter at the base, with internal flanges. The color of the towers and rotors would be standard white or off-white. During construction, a work/staging area at each wind turbine would include the crane pad and rotor assembly area. This would temporarily disturb an area of approximately 500 x 500 feet, and permanently disturb a 25-foot radius around each turbine. The wind turbine foundations would typically be mat foundations or a concentric ring shell foundation. The excavated area for the wind turbine foundations would typically be approximately 70 x 70 feet. Pad mounted transformers would be placed next to the each wind turbine, with the pedestal 17 feet in diameter, and crushed rock apron extending 10 feet wide around the pedestal. For step-and-touch voltage compliance, an area around

each wind turbine and transformer would be covered in gravel four inches deep and ten feet in all directions.

Consultation History

Western and RUS (co-lead agencies) sent a letter to the South Dakota Field Office on April 9, 2009 to inform the USFWS of the Notice of Intent (NOI) to prepare an EIS for the proposed project and received a letter of response with formal comments on May 13, 2009. The response provided information on three federally listed species that may occur in the Project area. The response also referenced the Service's 2003 *Interim Guidance on Avoiding and Minimizing Wildlife Impacts from Wind Turbines* and other guidance for non-listed species.

The Agencies determined that RUS would be the lead agency for Section 7 consultation, assisted by Western and its third party contractor. RUS sent a letter on October 14, 2009 notifying the USFWS of its strategy, requesting an updated species list for the Project, and designating Mr. Patrick Golden of Heritage Environmental Consultants as our agent for consultation. A response letter was received by RUS on November 12, 2009.

A field tour of the Crow Lake site was conducted on November 23, 2009 with representatives from the USFWS South Dakota Field Office, USFWS Huron and Lake Andes Wetland Management Districts, SDGFP, RUS, Western, Heritage Environmental Consultants, Western Ecosystems Technology, and Basin Electric. A meeting was held on the same day to discuss issues surrounding the EIS and Section 7 consultation.

An informal review draft of the BA was provided to Ms. Natalie Gates of your office on December 18, 2009, and Ms. Gates' comments and supporting material on whooping cranes were received on January 15, 2010. A subsequent conference call between Ms. Gates, RUS, Western and the contractor was held to discuss the comments, and they have been incorporated to the fullest extent into the final BA.

Summary

Based on information obtained from your office, the following federally-listed species were addressed for the project counties:

Piping Plover (*Charadrius melodus*) - Threatened
Whooping Crane (*Grus americana*) – Endangered
Topeka Shiner (*Notropis topeka*) - Endangered

Complete discussions of species biology, potential impacts, and rationale for our effect determinations are found in the BA. We wish to emphasize our commitment to the completion of a fully developed operational plan for the proposed facility. The BA provides a level of detail regarding operations and proposed monitoring, focusing on the whooping crane, that we believe is

commensurate with currently available information, and is appropriate at this juncture in the S. 7 consultation process.

Determinations

Based on the informal consultation activities undertaken thus far, the information presented in this letter, and supported by the Biological Assessment, the Agencies make the following determinations:

Piping plover – May affect, not likely to adversely affect

Whooping crane – May affect, likely to adversely affect

Topeka Shiner – No effect

There is no designated critical habitat for any of the species in or near the project area.

The Agencies request your opinion as to our conclusions of effect, and specifically seek concurrence on the "may affect, likely to adversely affect" determination for the whooping crane, thus making formal consultation necessary per 50 CFR§402.14(b). We request that you inform us as soon as possible should you require additional information necessary to facilitate your response.

Questions or requests for information may be addressed to: For RUS, Mr. Richard Fristik, tel. (202) 720-5093, e-mail richard.fristik@wdc.usda.gov, or Mr. Dennis Rankin, tel. (202) 720-1953, e-mail dennis.rankin@wdc.usda.gov; for Western, Mr. Rod O'Sullivan, tel. (406) 247-7492, e-mail osullivan@wapa.gov, or Ms. Misti Schriner, tel. (720) 962-7239, e-mail mschriner@wapa.gov.

Sincerely,

Mark S. Plank

MARK S. PLANK
Director
Engineering and Environmental Staff
USDA, Rural Utilities Service

Enclosure (BA)

South Dakota PrairieWinds Project
Final Biological Assessment

Prepared by:

Heritage Environmental Consultants
Denver, Colorado

for

U.S. Department of Agriculture,
Rural Utilities Service
Washington, D.C.

and

U.S. Department of Energy,
Western Area Power Administration
Billings, Montana

February 2010

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ACRONYMS AND ABBREVIATIONS

ANWR	Aransas National Wildlife Refuge
Applicants	Basin Electric Power Cooperative and PrairieWinds SD1, Inc.
APM	Applicants' Proposed Measures
AWBP	Aransas Wood Buffalo Population
BA	Biological Assessment
Basin Electric	Basin Electric Power Cooperative
BMP	Best Management Practices
CRP	Conservation Reserve Program
CWS	Canadian Wildlife Service
DOE	U.S. Department of Energy
EIA	Energy Information Administration
EIS	Environmental Impact Statement
ESA	Endangered Species Act
GAP	GAP Analysis Program
GhG	Greenhouse gas(es)
kV	Kilovolt
kWh	Kilowatt-hour
MW	Megawatt
NEPA	National Environmental Policy Act
NWI	National Wetlands Inventory
PII	Potential Impact Index
RUS	Rural Utilities Service
SCADA	Supervisory Control and Data Acquisition
SDGFP	South Dakota Game, Fish, and Parks
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
Western	Western Area Power Administration
WTG	Wind Turbine Generator

1.0 SUMMARY OF DETERMINATION

This Biological Assessment (BA) evaluates the possible effects to federally-listed threatened and endangered species from implementation of the proposed South Dakota PrairieWinds Project (SDPW Project) at the Crow Lake Alternative site (Project area) in Aurora, Brule, and Jerauld Counties, South Dakota. This BA addresses three species that may occur within the Project area: two endangered (whooping crane, *Grus americana*; Topeka shiner, *Notropis topeka*) and one threatened (piping plover, *Charadrius melodus*).

Piping plover nesting and foraging habitat does not occur within the Project area, so plover use of the area, and any impacts, are considered insignificant or highly unlikely to occur. Designated piping plover critical habitat is not found near the Project area. Implementation of the proposal **may affect, but is not likely to adversely affect** the piping plover.

The whooping crane may utilize the Project area during their spring and fall migration. Impacts would occur primarily from the avoidance of suitable stopover habitat as the project occurs within the migration corridor of the whooping crane [Aransas-Wood Buffalo Population (AWBP)]. Based on voluntary conservation measures and other proposed avoidance and minimization measures, implementation of the proposal **may affect, is likely to adversely affect** the whooping crane.

Topeka shiners are not known to occur in the Project area, although they are known to occur approximately 25 miles downstream of the Project area. Implementation of the proposal will have **no effect** on the Topeka shiner.

2.0 INTRODUCTION

PrairieWinds SD1, Inc. (PrairieWinds), a subsidiary of Basin Electric Power Cooperative (Basin Electric), and Basin Electric (Applicants) have proposed to develop the SDPW wind-powered generating facility in south-central South Dakota, near the Town of Wessington Springs. Basin Electric has submitted an application for funding to the U.S. Department of Agriculture (USDA), Rural Utilities Service (RUS), and has made a transmission interconnection request to the Western Area Power Administration (Western), an agency of the U.S. Department of Energy, for the proposed SDPW in Aurora, Brule, and Jerauld Counties, South Dakota. Basin Electric is a consumer-owned, regional cooperative headquartered in Bismarck, North Dakota, and provides service to more than 126 member rural electric systems in nine states. RUS and Western (the Agencies) are preparing an Environmental Impact Statement (EIS) for the proposal under the National Environmental Policy Act (NEPA), per their respective NEPA implementing regulations at 7 CFR 1794 and 10 CFR 1021. The Agencies are also responsible for compliance with other applicable environmental statutes, including the Endangered Species Act (ESA), and this document supports the Agencies' efforts to meet their responsibilities under Section 7(a) of the ESA. The EIS addresses two site alternatives, the Crow Lake Alternative and Winner Alternative. The Agencies have not determined a preferred alternative at this time. In order to expedite the Section 7 process, this BA addresses the Crow Lake Alternative site referred to as the Project area. If the Winner Alternative is chosen as the preferred alternative, RUS will submit a BA addressing that site. The reader is referred to the EIS for a full discussion of the alternatives and site selection analyses.

Based on information received from the U.S. Fish and Wildlife Service (USFWS), South Dakota Field Office, three federally-listed species may occur in the proposed Project area: whooping crane (*Grus americana* - endangered); Topeka shiner (*Notropis topeka* - endangered); and piping plover (*Charadrius melodus* – threatened). The species list was updated by the USFWS on November 12, 2009 (Gober 2009). The BA provides a description of the proposal, species summaries and assessment of effects, and Agency determinations of effect. The following definitions apply:

- **Direct effects** are those that are caused by the proposed action and occur at the time of the action, including construction and operation and maintenance activities;
- **Indirect effects** are those that are caused by the proposed action and occur later in time, but are reasonably certain to occur; and
- **Cumulative effects** may result from the addition of potential project effects to those from non-federal actions that are reasonably certain to occur in the action area considered in this biological assessment. Future federal actions that are unrelated to the proposed plan are not considered because they would be subject to separate Section 7 consultation.

The BA is based largely on existing information and extensive informal discussions with the USFWS; however, some primary data was collected from the site through habitat mapping, aerial photography, completion of a Potential Impact Index (PII)(based on USFWS 2003), and the preparation of the following documents: *Potential Impact Index for PrairieWinds SD1 Reference (Lake Andes), Crow Lake, Winner, and Fox Ridge Project Sites in Central South Dakota* (Terracon 2008); PrairieWinds SD1, Inc. Project Compilation of Resource Technical Memorandums (Terracon 2009); *Wildlife Studies for the PrairieWinds SD1 Crow Lake Wind Resource Area Aurora, Brule, and Jerauld Counties, South Dakota* (WEST 2009a); *Prairie Winds Vegetation Mapping Report, Portions of Jerauld, Aurora, Brule and Tripp Counties, South Dakota* (Tierra EC 2009); and, the draft EIS for the proposed project. Sources of existing information included published literature (including internet resources); a search of the South Dakota Game, Fish and Parks (SDGFP) information; query of the National Wetland Inventory (NWI) database; data available from the USFWS; and, communication with resource experts and agency personnel.

3.0 CONSULTATION HISTORY

Western and RUS (co-lead agencies) sent a letter to the South Dakota Field Office on April 9, 2009 to inform the USFWS of the Notice of Intent (NOI) to prepare an EIS for the proposed project and received a letter of response with formal comments on May 13, 2009. The response provided information on three federally listed species that may occur in the Project area. The response also references the Service's *Interim Guidance on Avoiding and Minimizing Wildlife Impacts from Wind Turbines* (USFWS 2003) and other guidance for non-listed species.

The Agencies determined that RUS would be the lead agency for Section 7 consultation, assisted by Western and its third party contractor. RUS sent a letter on October 14, 2009 notifying the USFWS of its strategy and requesting an updated species list for the SDPW Project. A response letter was received by RUS on November 12, 2009.

A field tour of the Crow Lake site was conducted on November 23, 2009 with representatives from the USFWS South Dakota Field Office, USFWS Huron and Lake Andes Wetland Management Districts, SDGFP, RUS, Western, Heritage Environmental Consultants, Western Ecosystems Technology, and Basin Electric. A meeting was held on the same day to discuss issues with the EIS and Section 7 consultation.

4.0 DESCRIPTION OF PROPOSED ACTION

The proposed SDPW project would consist of a wind-powered electricity generation facility with a nameplate rating of up to 151.5-megawatts (MW) that would feature 101 wind turbine generators (WTG). Ten additional WTG locations were identified and analyzed in the DEIS. These WTGs may be utilized as contingent WTG locations for the proposed SDPW Project if specific WTG locations are eliminated as a result of additional resource surveys and engineering siting; or they may be installed within the selected site at a later date, pending future load, transmission availability, and renewable

production standard requirements. The Project area is located approximately 15 miles north of White Lake, and 17 miles southwest of Wessington Springs, South Dakota (Figure 1). From White Lake, access to the Project area is provided by Aurora County Road 11 and numerous gravel county and section line roads. From Wessington Springs, access is provided by State Highway 34 and 373 Avenue. Proposed plans include the installation of up to 101 General Electric 1.5-MW WTGs within an area of approximately 37,000 acres (58 square miles). The Project area is located in all or portions of:

- Township 104 North, Range 66 West, Section 6
- Township 104 North, Range 67 West, Sections 1, 2, 3, 4
- Township 105 North, Range 65 West, Sections 3, 4, 5, 6
- Township 105 North, Range 66 West, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33
- Township 105 North, Range 67 West, Sections 1, 2, 3, 11, 10, 12, 23, 24, 25, 26, 27, 33, 34, 35, 36
- Township 106 North, Range 65 West, Sections 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34
- Township 106 North, Range 66 West, Sections 25, 26, 27, 28, 29, 30, 32, 31, 33, 34, 35, 36
- Township 106 North, Range 67 West, Sections 25, 26, 34, 35, 36

WTGs would be located on hills and ridges in a mix of mixed-grass prairie (rangeland, pastureland and CRP/prairie), cultivated cropland, and scattered farmsteads. Mixed-grass prairie is the most prevalent vegetation cover within the Project area (64 percent), while cropland accounts for 33 percent. Wetlands account for 1 percent of the Project area, and farmsteads, shelterbelts, and deciduous forest account for less than 1 percent each (Figure 2). The wetland basin density in the Project area is nine to 10 basins per square mile which is relatively low for the Prairie Pothole Region (PPR) (Figure 3). Based on field verification and aerial photography, wetlands account for 517 acres of the Project area. The density of wetlands within the Project area is comparable to adjacent areas to the South that are not located in the PPR and less than areas to the North that are within the PPR. None of the wetlands were found to be alkaline in nature, indicating that they generally are not suitable as piping plover nesting habitat.

SDPW Project infrastructure would include 101 WTGs, two substations, a temporary laydown yard, access roads, buried collector lines, fiber optic communication lines, a 230-kilovolt (kV) transmission line, and an O&M building (Figure 1). Power would be delivered to the grid via an existing Western 230-kV transmission line within the Project area.

Each WTG would be connected by a service road for access and a 34.5-kV underground electrical collection system that would ultimately route the power from each WTG to one central collector substation, where voltage would be increased for interconnection to Western's transmission system. Approximately 30 to 40 miles of new access roads would be built to facilitate construction and maintenance of the WTGs. Approximately 25 to 35 miles of existing roads would be used and, where appropriate, improved. The underground collector system trench would be approximately 60 miles long and would be collocated in access roads where feasible.

The SDPW project would require a new 34.5-kV to 230-kV collector substation as well as a 230-kV transmission line to interconnect to a new 230-kV interconnection point at Western's existing Wessington Springs Substation, in Jerauld County. The Wessington Springs Substation is approximately nine miles from the proposed collector substation. Regardless of route, the transmission line length would be approximately 11 miles. The proposed line would be built using steel single-pole structures. The structures would be between 85 and 95 feet high with a span of about 800 feet. The next section describes the proposed project components in detail:

WTGs: The Applicants' plan to install 101 General Electric 1.5 super long extreme (sle) model WTGs for the proposed SDPW Project. Each WTG would have a nameplate capacity output of 1.5-MW of

power, with a combined nameplate capacity of 151.5 MW. Each WTG would have a hub height of 262 feet and a WTG rotor diameter of 252 feet. The rotor swept area is 49,876 square feet (1.14 acres). The total height of each WTG would be 389 feet with a blade in the vertical position. The WTG tower would be constructed of tubular steel, approximately 15 feet in diameter at the base, with internal flanges. The color of the towers and rotors would be standard white or off-white. During construction, a work/staging area at each WTG would include the crane pad and rotor assembly area. This would temporarily disturb an area of approximately 500 feet by 500 feet; and permanently disturb a 25-foot radius around each WTG. The WTG foundations would typically be mat foundations or a concentric ring shell foundation. The excavated area for the WTG foundations would typically be approximately 70 feet by 70 feet. Pad mounted transformers would be placed next to the each WTG, with the pedestal 17 feet in diameter, and crushed rock apron four inches deep and extending 10 feet wide around the pedestal.

Roads: New access roads would be built to facilitate construction and maintenance of the WTGs. This road network would include approximately 75 miles of new or upgraded roads. These roads would be designed to minimize length and construction impact. The new and upgraded roads would temporarily disturb a corridor up to 40 feet wide to allow movement of WTG assembly cranes. Upon completion of construction, the WTG access roads would be narrowed to an extent allowing for the routine maintenance of the facility, anticipated to be a permanent 16-foot-wide corridor. Temporary portions of the access roads would be reclaimed.

Existing roads, state and county roads, and section line roads would be improved to aid in servicing the WTG sites. Approximately 30 to 40 miles of new WTG access roads would be built and 25 to 35 miles of existing roads would be used and where appropriate, improved. Private WTG access roads would be built to the towers. The specific WTG placement would determine the amount of private roadway needed.

Transmission: For the Crow Lake Alternative, a new 230-kV transmission line would be required to deliver the power from the collector substation to a 230-kV interconnection point at Western's Wessington Springs Substation. The Wessington Springs Substation is located approximately nine miles from the collector substation.

The Applicants have identified three alternate transmission line corridors. Each of the three transmission line corridors are approximately 11 miles in length. The transmission line would be built using steel single-pole structures. The structures would be about 85 to 95 feet high and span about 800 feet; the right-of-way for the transmission line would be 125 feet wide. Each transmission line structure construction area would have temporary impacts encompassing 100-feet by 125-feet, and there would be a permanent impact of a 20-foot radius around each structure. The transmission line corridor would include a 12-feet wide centerline area to allow for the movement of equipment along the route of the transmission line and include six to eight structures per mile. In addition, pulling sites for each of the alternative transmission line corridor options would include two 125-foot by 300-foot areas for each of the turning locations.

4.1 Construction

If approved, construction would begin in mid-2010 and be completed by the end of 2010. Construction activities would include the following phases, listed in approximate order of occurrence, although some of the activities would be carried out concurrently:

- Road clearing for access roads for construction and maintenance;
- Construction of WTG foundations (grading, excavation, reinforcing steel placement, and concrete pouring);

- Grading, trenching, and placement of underground utilities and collector substation (including electric and communication lines);
- Overhead transmission line construction;
- Tower assembly, nacelle installation, rotor assembly, rotor installation, and equipment installation including installation of the communication system, supervisory control and data acquisition (SCADA) software and hardware, and telephone or fiber-optic cables;
- Final road grading, erosion control and reclamation.

The following measures would be implemented during construction:

- All temporary meteorological towers associated with the Proposed Project would be removed as soon as construction begins. Any permanent meteorological tower would be freestanding and have no guy wires;
- To the extent possible within FAA requirements, towers would be lit according to current USFWS guidance regarding reduction of avian mortality associated with WTG tower lights;
- Whooping Crane Monitoring Plan/Sightings**:** The Proponent will develop a Whooping Crane Monitoring Plan before construction begins in coordination with the USFWS and SDGFP. The plan will include, but will not be limited to, training project personnel in: the identification of whooping cranes and sandhill cranes (*Grus canadensis*), USFWS reporting requirements; construction requirements; post-construction survey and reporting requirements; mortality monitoring; and, adaptive management practices.
- Observations of whooping cranes by project personnel made as a result of monitoring or other incidental sightings in the Project area and surrounding vicinity shall be immediately reported to the USFWS;
- Construction activities would be suspended within one mile of the observation of a whooping crane, leaving birds undisturbed until they are no longer observed, with the intent to minimize the potential for disturbance, displacement, and harm to roosting and foraging whooping cranes;
- During the construction phase, trained personnel acceptable to the USFWS would monitor whooping crane use of the Project area during the spring and fall migrations.

The EIS describes other best management practices (BMPs) and Applicants' proposed measures in more detail. These would be implemented to minimize general environmental impacts during construction, but they also would help to avoid and minimize impacts on Federally-listed species. Examples include:

- Temporarily disturbed areas would be reclaimed by replacement of topsoil and seeding. Revegetation would occur as soon as possible to establish vegetative cover and avoid establishment of weeds. Agricultural lands would be returned to their original use. Regionally native seed or seed mix approved by the county and landowners would be used. If native prairie areas are disturbed they would also be reseeded with a native seed mix;
- The Applicants would develop a post-construction noxious weed monitoring program and would conduct surveys according to that program for three years post-construction, with follow-up surveys in problem areas.
- Dust emissions would be minimized during clearing, grading and other construction activities to avoid adversely affecting vegetation;
- Avoidance of wetlands such that there are no direct impacts from project components (footprint only);
- The Applicants would use BMPs during construction and operation to protect topsoil and water resources and to minimize soil erosion. Practices may include containing excavated material, applying water, use of silt fences, protecting exposed soil with fabrics (especially near

wetlands), stabilizing restored material, and revegetating disturbed areas with native grasses and forbs.

4.2 Operation and Maintenance

Each WTG would communicate directly with the SCADA system for the purposes of operation performance monitoring, energy reporting and trouble-shooting. Under normal conditions each WTG operates autonomously, making its own control decisions. PrairieWinds proposes to construct, own, operate, and maintain the proposed SDPW Project.

The Applicants and the appropriate supplier would control, monitor, operate, and maintain the Proposed Project by means of a SCADA computer software program. In addition to regularly scheduled on-site visits, the wind facility could be monitored via computer. The primary functions of the SCADA system are to:

- Monitor status;
- Allow for autonomous WTG operation;
- Alert operations personnel to conditions requiring resolution;
- Provide a user/operator interface for controlling and monitoring WTGs;
- Monitor field communications;
- Provide diagnostic capabilities of WTG performance for operators and maintenance personnel;
- Collect WTG, material and labor resource information;
- Provide information archive capabilities;
- Provide inventory control capabilities; and
- Provide information reporting on a regular basis.

There would be a full-time operation and maintenance crew of 10 to 12 people that work in teams of two. If possible, the crews may work in staggered shifts. The two person crews would make trips to the WTGs with an average of two WTGs per day. With that schedule, the six crews conducting two trips per day would enable 12 WTG visits in a typical day.

During operations, larger sites may be attended during business hours by a small maintenance crew. Consequently, transportation activities would be limited to a small number of daily trips by pickup trucks, medium-duty vehicles, or personal vehicles. It is possible that large components may be required for equipment replacement in the event of a major mechanical breakdown. Such shipments would be expected to be infrequent.

In coordination with the Service and the Agencies, an operations plan will be developed that describes monitoring procedures and other actions directed at the conservation and protection of listed species. Complete development and agreement on the plan will be concluded prior to construction. At a minimum, the plan would include the following components:

4.2.1 Whooping Crane Monitoring

The **purposes** of whooping crane monitoring are:

1) To document use of the Project area and two-mile buffer surrounding the wind farm by whooping cranes during the spring and fall migration periods, such that WTG operation can be curtailed if whooping cranes are seen in or near the Project area.
2) To document use of the Project area and two-mile buffer surrounding the wind farm by sandhill cranes.
3) To document any mortality of whooping cranes or sandhill cranes.

Monitoring **components**:

1) Facility operation (curtailment), training, monitoring, and reporting:

- Trained personnel acceptable to the USFWS would be on site during spring and fall migration seasons to observe whooping cranes and sandhill cranes post-construction. Migration seasons are generally: April 1 to May 15 (spring) and September 10 to October 31 (fall); however, the Applicants will rely on real time migration tracking data provided by the USFWS. If whooping cranes are observed, WTGs located within two miles of the observation would be shut down until such time as the cranes are no longer observed in the area;
- Monitoring procedures for whooping crane/sandhill crane mortality would be developed in coordination with the Service, and any crane mortality would be reported immediately to the USFWS, Ecological Services, South Dakota Field Office Supervisor. In the event of whooping crane mortality, all WTGs would be shut down and the Agencies would request re-initiation of consultation with the USFWS. WTG operations will not be resumed until completion of the re-initiated section 7 consultation;
- Basin Electric would provide annual reports to the SDGFP and USFWS until such time as further reports are deemed unnecessary, in coordination with SDGFP and USFWS. Reports would address compliance with the whooping crane monitoring and any other avian protection measures developed as part of the operating plan;
- Basin Electric commits to develop training and management practices for all SDPW Project staff. The training would focus on sandhill and whooping crane identification as well as background biology on habitat, foraging, and other relevant ecological characteristics as recommended by an experienced biologist; The whooping crane contingency plan will be provided to anyone trained to observe cranes.
- At the end of the three year post-construction whooping crane monitoring period, the USFWS and the Agencies will consult to determine whether additional monitoring is needed and any modifications deemed necessary in the monitoring or operational protocols, such as extending the post-construction whooping crane monitoring period.

The USFWS published *Whooping Cranes and Wind Development – An Issue Paper* in April, 2009 (USFWS 2009b). This document provides recommendations to avoid and minimize the "take" of whooping cranes and mitigate unavoidable impacts. The Applicants considered these recommendations during project siting and development and will follow the recommendations as described below:

- Build in areas away from traditional stopover sites. Project site selection for this wind farm took into account numerous factors. The wind resource in this part of South Dakota is best within the whooping crane migration corridor and project economics dictated its placement within the corridor.
- Build as far away from the corridor centerline as possible. The project area is located within the 75 percent to 80 percent bands of the corridor and is approximately 60 miles east of the centerline.
- Avoid wetland mosaic areas. The project area includes wetland mosaics, however, wetland density in the project area is relatively low compared to the wetland density in the region.
- Place turbines as far away from wetlands as possible. The wind resource largely determines turbine placement and micro-siting. The Applicants have designed the project to avoid as many wetlands as possible.

- Shut down turbines and/or construction activities within 2 miles of whooping crane sightings and leave cranes undisturbed. The Applicants have agreed to implement this protocol as described in the monitoring components section above.
- Report any whooping crane sightings to the USFWS. The Applicants have agreed to implement this protocol as described in the monitoring components section above.
- Monitor whooping cranes in the area during daylight hours.
- Bury all powerlines, if possible. The Applicants have agreed to bury all collector lines.
- Mark new overhead lines that are located in the migration corridor. The transmission line connecting the project to the grid will be above ground but will be marked as described in Section 4.3 Line Marking.

4.2.2 Bird and Bat Fatality Monitoring

Bird and bat fatality monitoring would continue for three years post-construction. The fatality monitoring has three main **purposes**:

1) To document bird and bat fatalities by species.
2) To estimate annual bird and bat fatalities attributable to the wind farm.
3) To evaluate spatial and temporal patterns of fatalities.

Monitoring **components**:

1) Standardized Carcass Searches – A set schedule of search effort will be established for sampling all WTGs systematically during the year. This effort will be quantifiable such that estimates of total bird and bat fatality can be determined.
2) Removal Trials – Removal trials will be conducted as one means to correct total number of carcasses found to total number of fatalities. Carcasses will be planted in the wind farm and checked on a regular schedule to determine how long carcasses remain available for searchers to find.
3) Searcher Efficiency Trials – Efficiency trials, in conjunction with removal trials, also are used to estimate total fatalities attributable to the wind farm. This effort will test field biologists by conducting blind trials on how many carcasses of varying size classes are found and how many are missed.

4.2.3 Avian Use Monitoring

This portion of the post-construction monitoring effort would continue for three years post-construction, and would consist of:

1) Fixed Point Bird Use Surveys - This effort would estimate the seasonal, spatial, and temporal use of the study area by birds, in particular raptors.
2) Breeding Bird Use Surveys – This effort would investigate the displacement impacts of WTGs on breeding grassland birds using line transects to measure bird use at varying distances from WTGs.

4.3 Line Marking

Basin Electric will mark the new transmission line with line marking devices to reduce the risk to whooping cranes and piping plovers Line marking would benefit all avian species, including the whooping crane and piping plover, by increasing the visibility of the transmission line and thereby reducing the risk of collisions. Marking would occur before or during construction, but no later than one year after construction is commenced. Line marking efforts and locations will be reported to the USFWS, and the Applicants will ensure long-term maintenance of the marking devices.

5.0 SPECIES ACCOUNTS, EFFECTS, AND DETERMINATIONS

5.1 Piping Plover

The U.S. range of the Great Plains population includes New Mexico, Colorado, Wyoming, Montana, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska, with most of the birds currently nesting in North Dakota, South Dakota, Montana, and Nebraska (USFWS 2003b). Most breeding activity in South Dakota occurs on sandbars along the Missouri River from Fort Randall Dam to Springfield, and from Yankton to Ponca, Nebraska (USFWS 1988). Piping plovers winter primarily along the southern Gulf Coast and Pacific Ocean.

The Great Plains population was estimated to be between 2,137 and 2,684 adults in the early 1980's and 2,953 in a 2001 census (USFWS 2003b). The historical decline is often attributed to reservoir and river operations, marina development, drought and other factors that impact the species' breeding and wintering habitats. Plovers prefer to nest in sand/gravel substrates on the shorelines of wetlands and rivers, and tend to forage in the same substrates. There is a preference for alkali wetlands, likely due to their lack of shoreline vegetation. Typical freshwater wetlands are more vegetated, and often have a high degree of silt and detritus in the substrate, further precluding use as nesting by piping plovers even in dry years (C. Derby, pers. comm.).

The piping plover was listed as threatened on December 11, 1985 (50 FR 50726-50734) in its entire range except for the Great Lakes watershed, where it was listed as endangered. In 2002, the USFWS designated critical habitat for the Northern Great Plains breeding population of the piping plover (50 CFR Part 17, Federal Register, Volume 67, Number 176 / September 11, 2002 / Final Rule)(USFWS 2002). Critical habitat includes prairie alkali wetlands and surrounding shoreline, including 200 feet of uplands above the high water mark; river channels and associated sandbars, and islands; reservoirs and their sparsely vegetated shorelines, peninsulas, and islands; and inland lakes and their sparsely vegetated shorelines and peninsulas. In South Dakota, critical habitat includes the Missouri River Fort Randall Reach (36 miles), approximately 56 miles south of the Project area; Lewis and Clark Lake (32.9 miles), approximately 84 miles southeast of the Project area, Gavins Point Reach (58.9 miles), approximately 84 miles southeast of the Project area, and Lake Oahe (159.7 miles), approximately 88 miles northwest of the Project area (USFWS 2002). There is no designated piping plover critical habitat within the Project area boundary.

According to the USGS Breeding Birds of South Dakota Database, there have been no documented occurrences of the piping plover in Jerauld, Brule and Aurora counties (including the Crow Lake Project area) to date (USGS 2009); however, piping plovers may fly through the area during migration.

Since piping plovers primarily occur along river corridors, they are unlikely to occur in the Project area. Piping plovers may migrate through the area during spring and fall migration; however, due to the absence of rivers, reservoirs, and alkali wetlands within or near the Project area, they would be infrequent visitors to the area, mostly in spring and fall, and would likely avoid the project area in search of suitable habitat.

5.1.1 Effects of the Action

5.1.1.1 Direct Effects

While there are approximately 517 acres of wetlands in the Project area, none are alkaline in nature. While not suitable for nesting, it is possible, but unlikely, that plovers would use these areas for resting or feeding. Because it is not known how piping plovers migrate—for example it is unknown if they take a straight north-south flight path, or migrate along major river corridors— there is the possibility of

plovers flying through the Project area and being subject to WTG strike. Plovers using designated critical habitat in South Dakota, particularly young birds, generally remain in or close to the nesting areas, so would not be at risk due to the facility. While the possibility remains that piping plovers may be directly affected by the proposed SDPW Project, they are highly unlikely to occur based on the lack of suitable habitat within the project area, and this effect would also be highly unlikely. The voluntary transmission line marking described in Section 4.3 will also help avoid possible direct effects to plovers.

5.1.1.2 Indirect Effects

The Project would not indirectly affect piping plover populations through loss or displacement of habitat, since suitable nesting and feeding habitat is not found in the Project area. The nearest designated critical habitat is 56 miles away, so would not be affected by the project.

5.1.1.3 Cumulative Effects

Please refer to the cumulative effects discussion for the whooping crane for a summary of factors that may also impact piping plovers. Implementation of the proposal would have discountable direct effects, and no indirect effects, so would not contribute to cumulative effects to piping plovers.

5.1.1.4 Determination

Based on the preceding discussion, it is determined that implementation of the proposal **may affect, but is not likely to adversely affect** the piping plover.

5.2 Whooping Crane

Whooping cranes are currently listed as endangered except where nonessential experimental populations exist. In the U.S., the whooping crane was listed as threatened with extinction in 1967 and endangered in 1970 – both listings were “grandfathered” into the Endangered Species Act of 1973. Migration areas within the U.S. designated as critical habitat are the Platte River between Lexington and Denman, Nebraska; Cheyenne Bottoms State Waterfowl Management Area and Quivira National Wildlife Refuge, Kansas; and Salt Plains National Wildlife Refuge, Oklahoma. The Aransas National Wildlife Refuge (ANWR), Texas and vicinity has been designated by the FWS as critical wintering grounds for the conservation of the species. A species recovery plan was completed in 2005 and revised in 2007. No critical habitat has been designated in South Dakota (CWS and USFWS 2007).

Life History and Habitat Requirements

The whooping crane occurs at three locations in the wild and at nine captive sites (CWS and USFWS 2007). The only self-sustaining wild population is the AWBP, which migrates more than 2,400 miles twice annually between summer nesting grounds in Wood Buffalo National Park in Canada and winter habitat in the coastal marshes of Aransas National Wildlife Refuge in Texas. Spring migration begins in late March to early April and is completed within two to four weeks, while their fall migration south begins in mid-September (Austin and Richert 2001).

The migration corridor follows an approximate straight path, with the cranes traveling through Alberta, Saskatchewan, extreme eastern Montana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. The migration route approximately follows the Missouri River corridor through the midwestern United States. The primary migration corridor can be over 200 miles wide as cranes are pushed east or west by winds, and occasionally cranes have been documented in Colorado, Missouri, Wyoming, Minnesota, Iowa, and Illinois.

The cranes usually migrate in small groups primarily during daylight hours, relying heavily on tailwinds and thermal currents to aid their flight. They stop nightly to roost in shallow wetlands and may fly out of wetlands during the morning to feed in agricultural fields. If weather is unfavorable for migration, the cranes will stay in place for several days until conditions improve.

Whooping cranes use a variety of habitats during migration, but feed primarily in croplands and sub-irrigated wet meadows. They typically roost in shallow, seasonally and semi-permanently flooded palustrine wetlands (Lewis 1995; Austin and Richert 2001; Stehn 2007). Most of the roosting wetlands are less than 10 acres in size and are within ½ mile of a feeding area (refer to Section 5.2.1.2 for calculations in the Project area). Heavily vegetated wetlands are used less frequently than less dense wetlands areas. Riverine habitats are also used during migration, particularly large rivers such as the Platte and Loup in Nebraska, and the Missouri River in South Dakota. Cranes roost on submerged sandbars in wide, unobstructed channels that have little human disturbance (CWS and USFWS 2007).

The Project area has seen conversion of native prairie and wetlands into agricultural land use beginning with 19th-century settlement, negatively impacting the quality and quantity of migration habitat for numerous migratory birds. Construction of utility lines and roads has also negatively affected whooping cranes and migration habitat.

Current Population Trend

The most recent count of the AWBP (December 2009) revealed 230 individuals with a total of 238 individuals accounted for. The flock may experience a "break even" year based on the number of juveniles counted in the August 2009 fledging survey with a total of 247 individuals (Stehn 2009a); the current estimated population of 247 is down from a winter peak count of 270 in 2008. The population will continue to lose genetic material with each generation until the downlisting target of 1,000 individuals is reached because the gene pool is so small with only 247 individuals in the population . Recovery objectives call for establishing two additional self-sustaining populations with 1,000 individuals each within portions of the historic range (CWS and USFWS 2007). Reintroductions, which began in 1975, have continued to the present. Of the three reintroductions attempted, one in the Rocky Mountains failed with all birds becoming extirpated. The non-migratory flock in Florida started in 1993 is declining in size with high mortality rates and low productivity, casting significant doubts on its ability to become self-sustaining (CWS and USFWS 2007). The eastern migratory population started in 2001 between Wisconsin and Florida has showed some promise, but early productivity has been relatively low and mortality is considerable (USFWS 2008). Thus, it is imperative that all efforts continue to promote growth of the AWBP by reducing mortality, increasing productivity and reducing threats to the population.

Threats

While numerous historic factors have led to the decline of the whooping crane, major current threats include limited genetic diversity, loss and degradation of migration stopover habitat, construction of additional utility infrastructure, degradation of coastal habitat, and the threat of chemical spills in Texas. Whooping cranes are faced with various natural obstacles and risks during their annual migration and at wintering grounds, primarily severe weather events (including hurricanes). Loss of migration habitat can concentrate a variety of wetland birds, including waterfowl and cranes, into remaining areas and increase the spread of disease. Migrating cranes are also exposed to a variety of physical hazards such as collisions with structures, predation of young cranes, disease, and illegal shooting (CWS and USFWS 2007). Degradation of wintering grounds at and around ANWR have continued to worsen, ranging from land development decreasing suitable habitat, reduced freshwater inflows from the Guadalupe and San Antonio Rivers affecting blue crab populations, spread of black mangrove, and sea level rise on lands where whooping cranes are known to occur. (Stehn 2009b).

Breeding grounds in Canada are also being degraded by changing weather patterns and reduced permafrost resulting in wetter soils and changes in the prey base.

Status of the Species in the Action Area

Stopover occurrence during migration is common throughout South Dakota; there were 570 observations of whooping cranes in South Dakota between 1957 and April 2009. The majority of sightings were in the central portion of the state along the Missouri River corridor (USFWS 2009a). Whooping cranes have not been observed in Jerauld County, although they have been sighted in Brule and Aurora counties, but the percentage of this flock that might pass within the vicinity of the Project area is unknown.

The Project area occurs within the portion of the migration corridor in which 75 to 80 percent of the recorded whooping cranes sightings have occurred, and the Whooping Crane Tracking Database maintained by the USFWS (USFWS 2009a) reports two sightings in Aurora County (16 and 18 miles from the Project area) and four sightings in Brule County (6.5, 17, 21, and 22 miles from the Project area). These whooping cranes were observed flying and using grassland, cropland, and wetland habitats. Figure 4 shows these and all documented whooping crane sightings in South Dakota. Because much of the Central Flyway is sparsely populated by people, only a small proportion of actual stopovers are observed or reported. Based on the crane population and the average flight distances, as little as four percent of crane stopovers are reported (USFWS 2009a). Therefore, the absence of documented whooping crane use of a given area does not mean that whooping cranes do not use the area or that various projects in the vicinity will not adversely affect the species (Austin and Richert 2001; USFWS 2009a).

No whooping cranes or sandhill cranes were observed during the avian use surveys conducted in the Project area in 2009 (WEST 2009). The Project area contains suitable whooping crane roosting and feeding habitat consisting of rolling hills intermixed with wetlands (1 percent of Project area, 9-10 lacustrine and palustrine wetland basins per square mile, ranging from temporary to semi-permanent flooding regimes), mixed grass prairie (64% of Project area), and cropland (33% of the Project area). Crow Lake is the largest body of water in the project vicinity. Nielson North is the closest Waterfowl Production Area (WPA), and emergent and submergent wetland vegetation is present in the lake at the Nielson North WPA. Historical occurrence, location of the site within the migration corridor, and the presence of suitable foraging, roosting and stopover habitat indicate that whooping cranes may occur in the Project area (Stehn 2007).

Qualitatively, the site appears to represent suitable stopover habitat for whooping cranes; however, it is of lower quality than habitats at the adjacent Wessington Springs Wind Farm. The Wessington Springs site contains higher quality whooping crane roosting and feeding habitat consisting of rolling hills intermixed with wetlands (7% of Project area, 21 lacustrine and palustrine wetland basins per square mile, ranging from temporary to semi-permanent flooding regimes), mixed grass prairie (70% of Project area), and cropland (13% of the Project area). The Project area is more disturbed by human activities, mainly farming. Although sandhill cranes were not documented in the Project area in 2009, they have been documented to use the adjacent Wessington Springs site in relatively high numbers (approximately 1,400 observed onsite in 2007) (USFWS 2008); this information may indicate potential use of the Project area by sandhill and whooping cranes. This species is considered to be a surrogate species for whooping crane habitat use and behavior. Whooping cranes are often observed within flocks of sandhill cranes. Preliminary anecdotal observations (USFWS 2008) suggest that sandhill cranes avoid wind farms. Birds observed in the past, using habitat that is now occupied by wind farms, appear to be using other suitable sites away from the wind farms, however this could also be due to changed habitat conditions (e.g. precipitation variations) unrelated to the wind farms. It is uncertain whether whooping cranes would react to wind farms similarly to sandhill cranes. Whooping cranes have been observed at stopover sites that large groups of sandhill cranes likely would not use,

including farmsteads and sites close to residences (USFWS 2008). Regardless, confirmed sightings of whooping cranes do exist within the counties in the Project area.

5.2.1 Effects of the Action

Stehn (2007) identified the following as influencing stopover habitat choices by whooping cranes during migration:

- Every whooping crane makes approximately 12-15 stopovers during each migration;
- Cranes use migration stopover habitat opportunistically, stopping wherever they happen to be late in the day when conditions are no longer suitable for migration; hence individual birds may stop at a site only once over the course of their lives.
- Flight usually occurs between about 0930 and 1700. The birds use thermals in the morning to climb to their migratory height for the day, and as thermals die out, begin to look for suitable stopover habitat;
- Migrating cranes are most vulnerable to collisions with structures in the early morning or late evening when light levels are diminished, as they fly at very low altitudes between roost and foraging sites, or when flying at low altitude when starting or ending a migration flight, especially when thermal currents are minimal;
- Whooping cranes use a variety of habitats during migration, but wetland mosaics appear to be most suitable (see discussion above).

In assessing possible impacts from wind farms, Stehn (2007) also identified six factors to be considered:

1) Location of the proposed wind farm in relation to the 100-mile and 200-mile whooping crane migration corridor.
2) Locations of documented sightings in relation to the proposed WTGs.
3) Documentation of whooping crane stopover habitat within a 10-mile radius of every WTG, focusing on suitable shallow wetlands including marshes, small ponds, dugouts, lake edges, or rivers free from human disturbance such as nearby roads or buildings. Assess the amount of suitable stopover habitat in the vicinity to determine potential use outside of the wind farm.
4) Sandhill cranes should be used as a surrogate species to assess impacts. Sandhill cranes can be used as an indicator of potential presence of whooping cranes, since whooping cranes often select stopover habitat based on the presence of sandhill cranes. Document and/or assess sandhill crane use (flyovers and stopovers) of the wind farm and nearby areas.
5) Determine the extent of new power line construction needed for the wind farm and the extent of marking new and existing powerlines.
6) Analyze the number of proposed or existing wind farms in a particular portion of the migration corridor.

Given the Project area location in the 75 to 80 percent of all confirmed sightings band of the AWBP migration corridor, and the available historic use information, there is a possibility that cranes would utilize the Project area during migration. As noted above, the birds are opportunistic, and myriad factors can influence selection of a particular stopover location.

5.2.1.1 Direct Effects

Direct effects to whooping cranes include permanent and temporary loss of habitat and mortality associated with collisions. This section considers both the temporary and permanent impacts to

various land cover types and the risk of mortality from WTG blade strikes and transmission line strikes.

Permanent and Temporary Impacts to Land Cover

If construction were to occur during the migration season, the disturbance would likely result in avoidance of the Project area by whooping cranes and a temporary reduction in available migration habitat. During placement of the WTGs and construction of associated infrastructure, approximately 1,645.0 acres of suitable habitat would be temporarily disturbed (Table 1), the majority occurring on mixed-grass prairie and cropland (99 percent). Table 1 indicates that no wetlands would be temporarily impacted; roads will be routed around wetlands and collector lines will be directionally drilled to avoid wetland impacts. Additionally, there would be no direct disturbance to or permanent loss of wetland areas. Habitats that are temporarily disturbed would be reclaimed and are expected to return to their former condition. The amount of land lost permanently would be significantly less than the land temporarily disturbed; approximately 150.2 acres of mixed-grass prairie, 58.0 acres of cropland, and minimal amounts of other cover types would be lost (Table 2).

Many landowners have placed easements on their properties. All of the easements within the Project area are administered by the USFWS, and include wetland and grassland easements. There are approximately 2,836 acres of wetland easements and 1,629 acres of grassland easements in the Project area (Figure 5). Construction of the WTGs and associated infrastructure would impact these areas both temporarily and permanently. Table 3 shows the disturbance to easements and other areas. The NRCS administers CRP easements but does not disclose locations of CRP land, therefore, these acreages are not included in Table 3.

Direct Mortality

In their 2004 review, the National Wind Coordinating Committee (NWCC) did not find wind facility-related mortalities of any crane species from publicly available data (NWCC 2004). Specifically, collision mortality with WTGs has not been documented for the whooping crane; however, the species is considered vulnerable (Langston and Pullan 2003). If whooping cranes utilize habitat within or near the Project area after the construction of the project, it is presumed that they would be vulnerable to collision mortality due to their large size, low maneuverability, and known vulnerability to other structures on the landscape, such as power lines. A number of factors may affect that vulnerability. Age/experience of individual birds may play a role as may weather conditions, light levels, locations of feeding and roosting areas relative to the WTGs and transmission lines, locations of updraft areas relative to the WTGs and transmission lines, operation of the WTGs when cranes are present, and other possible unidentified factors. It is anticipated that the level of direct collision mortality, if it occurs, is likely to be extremely low. The reason for this is that whooping cranes do not travel in large flocks, but rather individually or in small family groups and they generally fly at altitudes higher than WTGs. Also, if they avoid the wind facility altogether direct mortality would not occur. Monitoring during and after construction would result in immediate reporting in the unlikely event of crane mortality, and curtailment of WTG operations.

Table 1 - Summary of Temporary Disturbance on Vegetation Communities (Acres)									
Vegetation Community	**WTGs**	**Crane Walks**	**Access Roads**	**Underground Collection Lines**	**Overhead Collection Lines**	**Substations**	**O&M Building**	**Laydown* Area**	**Total Disturbance**
Mixed-grass prairie	507.0	258.2	330.2	96.3	55.9	10.0	0.0	0.0	1,257.6
Cropland	117.0	52.1	128.0	19.3	0.3	0.0	20.0	40.0	376.7
Wetlands	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Farmstead	0.0	0.1	3.0	0.0	0.0	0.0	0.0	0.0	3.1
Shelterbelt	0.0	0.8	3.8	0.3	0.0	0.0	0.0	0.0	4.9
Deciduous forest	0.0	0.0	2.7	0.0	0.0	0.0	0.0	0.0	2.7
Total	624	311.2	467.7	115.9	56.2	10	20	40	1,645.0

*Actual location of temporary laydown area is unknown at this time; it is assumed to be in cropland.

Table 2 - Summary of Permanent Disturbance on Vegetation Communities (Acres)									
Vegetation Community	**WTGs**	**Crane Walks**	**Access Roads**	**Underground Collection Lines**	**Overhead Collection Lines**	**Substations**	**O&M Building**	**Laydown Area**	**Total Disturbance**
Mixed-grass prairie	3.9	0.0	144.4	0.0	0.1	1.8	0.0	0.0	150.2
Cropland	0.9	0.0	56.9	0.0	0.0	0.0	0.2	0.0	58.0
Wetlands	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Farmstead	0.0	0.0	1.5	0.0	0.0	0.0	0.0	0.0	1.5
Shelterbelt	0.0	0.0	1.5	0.0	0.0	0.0	0.0	0.0	1.5
Deciduous forest	0.0	0.0	1.2	0.0	0.0	0.0	0.0	0.0	1.2
Total	4.8	0.0	205.5	0.0	0.1	1.8	0.2	0	212.4

Table 3 - Disturbed Acres- Easement Lands		
Type	**Temporary Disturbance (Acres)**	**Permanent Disturbance (Acres)**
Grassland Easement	73.3	13.2
Wetland Easement	156.4	14.6
Private Land not under easement	1,433.2	229.6
Total	1,662.9	257.4

5.2.1.2 Indirect Effects

The primary indirect effect is the potential for complete avoidance by whooping cranes of the stopover habitat located within the area of the proposed facilities (WTGs, transmission lines, access roads, substations, O&M building). It is currently unknown whether the presence of WTGs would deter cranes from utilizing the area. It has been suggested that, based on anecdotal observations, sandhill cranes appear to avoid wind project areas. Birds observed in the past using habitat that is now occupied by wind farms appear to be using other suitable sites away from the wind farms. It is uncertain whether whooping cranes would react to wind farms similarly to sandhill cranes (USFWS 2008). There are 50 wetlands (76.7 acres) within ½ mile of foraging habitat and within ½ mile of WTGs in the Project area. Based on the anecdotal observations that sandhill cranes appear to avoid wind project areas, whooping cranes may also avoid these 50 wetlands.

Loss of migration habitat is a growing concern regarding the AWBP. As previously discussed, the indirect effects of the SDPW Project could reduce the amount of available stopover habitat in the Project area, and also present the threat of increased energy expenditure required while birds search for suitable stopover habitat, or increase the exposure to hazards as birds are required to fly low for longer distances in search of suitable habitat. The potential exists for this disturbance to affect the physical condition of the birds, placing energy demands and stressors on individuals at a critical point in their life cycle (migration). The increased disturbance could also place the cranes at greater risk of exposure to other hazards encountered during migration such as power lines, hunters, disease, and predation.

5.2.1.3 Cumulative Effects

Wind and other renewable sources are expected to become a larger share of the total electric generation resource in the United States for several reasons, primarily a desire to reduce overall greenhouse gas emissions, help increase energy security, and aid in economic stimulus efforts. Local, state and national energy policies are increasingly incorporating renewable portfolio standards, with wind as a major component, and targeting implementation of such standards by 2020 or sooner. Consequently, installation of wind and other renewable generation has increased dramatically, especially in the last 8-10 years. Between 2002 and 2006, wind generation (in thousands of kilowatt hours [KwH]) rose from approximately 10,400,000 to 26,600,000 (EIA 2008). In 2008, approximately 8,500 megawatts (MW) of new wind energy were installed in the U.S., representing roughly 40% of new power producing capacity, and making wind the second largest new generation source (AWEA 2009).

The federal Production Tax Credit (PTC), which was extended through the American Recovery and Reinvestment Act, has been a major incentive for wind energy development. With the recent economic downturn, difficulties in obtaining credit reportedly have hampered the addition of wind

power capacity by some developers. Very recently, the USEPA declared that greenhouse gases (GhG) are a threat to human health and the environment, which will likely lead to additional regulatory or legislative action to reduce GhG emissions. Growth in wind generation is expected to slow appreciably through 2010, after having grown 50 percent in 2008 (EIA 2009). Nonetheless, the EIA (Energy Information Administration, U.S. Department of Energy) forecast through 2030 indicates steady growth in wind capacity through 2012, after which capacity increases slightly, but essentially levels off, through 2030. In 2030, wind is forecast to be 2.5% of total generation. It should be noted that the EIA forecast was published prior to the recent EPA announcement on GhGs. Also, an increase in the cost of carbon-based generation would make wind power more economical, which could drive wind development. If legislation allowed for the conversion of renewable energy credits to emissions offsets, wind development could be even more prolific (SDPUC 2009).

The federal government has also recognized, for some time, the need for improvement to the nation's transmission infrastructure and the alleviation of transmission constraints. The American Reinvestment and Recovery Act granted the Western Area Power Administration $3.2B in budget authority "… to construct, finance, facilitate, own, plan, operate, maintain or study construction of new and/or upgraded electric power transmission lines and related facilities … for delivering or facilitating the delivery of power generated by renewable energy resources constructed or reasonably expected to be constructed" (Western 2009). The Obama administration has highlighted transmission line infrastructure needs and planning, siting, and interconnection considerations for renewable energy, including development of a so-called 'smart grid'.

South Dakota is one of the top ranked states for potential wind development in the U.S., and has actively promoted development of wind energy. The state offers a wind energy tax credit and a reduced property tax for wind facilities; the wind energy credit was extended in March 2009. Although South Dakota has high wind potential, like many other states, it has not been fully developed because of the limited amount of installed transmission. The distance of the markets from the wind regions of South Dakota further compounds this issue.

Recognizing this, South Dakota and four nearby states have discussed integrated transmission development in support of wind energy that will promote regional electric transmission investment and cost sharing (http://www.governor.nd.gov/media/news-releases/2008/09/080918.html). The states working together are contributing to the Upper Midwest Transmission Development Initiative to identify energy generation resources, transmission projects and infrastructure needed to support those resources in a cost-effective manner. Over the next 10 months, participants will determine a reasonable allocation of costs for necessary infrastructure ultimately leading to the development of a concrete plan or tariff proposal for consideration by the Midwest Independent Transmission System Operator (MISO).

The issue of transmission constraints links to another factor in assessing cumulative effects to whooping cranes, that of collision with electric transmission and distribution lines. Stehn and Wassenich (2008) summarized historical data on crane collisions with lines and mortality thereof (primarily addressing whooping cranes, but also sandhill cranes, discussed crane biology and behavior in relation to collision risk, and provided recommendations for management actions to minimize the risk of collisions). These authors pointed out that large, slow-moving birds such as cranes may be particularly susceptible to utility line collisions, and this may be compounded with juveniles due to their limited flight skills. Lines already constructed have negatively affected the whooping crane, and as discussed in the preceding paragraphs, the need for additional transmission capacity to meet increasing demand would likely constitute a serious cumulative stressor.

There is approximately 488 MW of installed (Table 4) wind power and 536 currently proposed in South Dakota (BEPC 2009). Other areas considered for wind energy development are the Coteau des Prairies in the northeast; Buffalo Ridge, which extends north-south from Marshall County to Brookings

County; Turkey Ridge within Turner and Yankton counties; Fox Ridge near Faith; and several central South Dakota counties and tribal lands. New wind development in the state will probably augment about 10 percent of existing coal and hydropower-based generation in 2009. Much of this development also occurs in the AWBP corridor, and combined the two states' current and foreseen wind development presents a considerable risk to whooping cranes. There is approximately 673 MW of installed wind power in North Dakota, with a nearly equal amount currently proposed. These facilities are logically located in those areas with the best wind resources, which also corresponds to the AWBP migration corridor. In assessing current and proposed wind development in the AWBP migration corridor, the USFWS notes that much of this development has and will occur on private land by private developers, with no federal nexus (USFWS 2009b). This may result in incomplete information due to business confidentiality concerns, and also perhaps lessen planning and design efforts to avoid and minimize wildlife impacts and understate the baseline for avian mortality, although the South Dakota Bat Working Group and the SDGFP have developed Siting Guidelines for Wind Power Projects in South Dakota to encourage planning at early project stages to avoid or reduce impacts for a number of issues (SDBWG and SDGFP 2009).

Given the current economic climate and a host of other variables, it is difficult to accurately predict the actual growth of wind energy in South Dakota and other top wind states – many of which also lie within the whooping crane migration corridor. However, based on the brief preceding summary, the number of WTGs and associated infrastructure is growing, and will likely continue to grow into the near future. Research on how whooping cranes respond to WTGs remains nascent, so it is difficult to predict the cumulative impacts of wind energy project development and disturbance within the whooping crane corridor. It can be assumed that as development and disturbance within the migratory corridor continues to increase, migratory stopover habitat quality and quantity would continue to degrade. Past activities that have affected habitat in the Project area include conversion of native vegetation and CRP lands for farming, and construction of roads, transmission lines, and residences. Development of electrical power generation and transmission within the crane migration corridor has contributed to a baseline condition that presents considerable risk to a small and vulnerable crane population. Continued development of power generation and transmission, whether from renewable or non-renewable sources, will increase the potential for collisions with structures and loss or avoidance of stopover habitat.

Table 4 – Existing South Dakota Wind Facilities								
Name	**Location**	**Power Capacity (MW)**	**Units**	**Turbine Mfr.**	**Developer**	**Owner**	**Power Purchaser**	**Year Online**
Buffalo Ridge	Brookings County	50.4	24	Suzlon	Iberdrola Renewables	Iberdrola Renewables	NIPSCO	2009
Wessington Springs	Jerauld County	51	34	GE Energy	Babcock & Brown	Pattern Energy Group LP	Heartland Consumers Power District	2009
Tatanka Wind Project	McPherson County	88.5	59	Acciona	Acciona Energy	Acciona Energy		2008
Minn-Dakota Wind Farm	Brookings County	54	36	GE Energy	PPM Energy	PPM Energy	Xcel Energy	2007
Highmore Wind Energy Project	Highmore	40.5	27	GE Energy	FPL Energy	FPL Energy	Basin Electric	2003
Rosebud Sioux Wind Energy Project	Rosebud Sioux reservation	0.75	1	NEG Micon	Rosebud Sioux	Rosebud Sioux	Rosebud Sioux	2003
Canova	near Carthage	0.11	1	Micon	City of Howard	City of Howard	City of Howard	2002
Gary Wind Energy Project	Gary	0.09	1	Vestas	Energy Maintenance Services-Distributed Energy Services	Energy Maintenance Services-Distributed Energy Services	Energy Maintenance Services-Distributed Energy Services	2002
Chamberlain Wind Project	Chamberlain	2.6	2	Nordex	Crown Butte Wind Power	Basin Electric	Basin Electric/East River Coop	2001
Howard Wind Energy Project	Howard	0.22	2	Micon	City of Howard	City of Howard	City of Howard	2001
White Wind Farm	White	200	103		Navitas	Babcock & Brown		Not Constructed

The current level of existing wind energy development within the South Dakota portion of the migration corridor of the AWBP of whooping cranes is relatively low, but increasing. Approximately 3,788 WTGs are known within the 1,400 mile long whooping crane corridor in the United States, with another 1,355 proposed for construction in the near to midterm future (Western 2007). This type of energy development is the fastest growing form occurring in the United States today, as an important component of a range of renewable energy resources spurred by Federal government tax incentives. Additionally, the majority of this development is currently occurring without Federal regulation, as most projects to date are developed on private lands by private companies, without interconnections to federally owned transmission lines or another Federal nexus. Many states have developed, and many will develop, renewable portfolio standards, requiring that certain proportions of energy generated or sold in their States be from renewable forms of energy.

Several states within Basin Electric's service territory have adopted Renewable Energy Objectives (REOs) that require renewable generation to meet a certain percentage of retail sales in that state. The states that have adopted REOs include Colorado, Minnesota, Montana, North Dakota and South Dakota. The State of South Dakota has a voluntary 10 percent by 2015 REO.

If the wind industry continues to develop wind farms within the migration corridor of the AWBP of whooping cranes, as expected, these farms, and the overhead transmission lines typically associated with them, will present increased structural hazards to this species. The Great Plains states traversed by the whooping cranes are among the windiest states in the nation (U.S. Department of Energy [DOE] 2008). The least developed areas within these states (often due to topography not conducive to farming practices) often harbor the high value wind resources that appeal to the wind industry. Unfortunately, these undeveloped areas within the AWBP of whooping cranes also likely afford attractive stopover sites, thus the potential for overlap with future wind energy development is high.

The significant increase in WTGs on the landscape anticipated in the future cannot be predicted with accuracy, but can reasonably be expected to result in thousands to tens of thousands of individual WTGs and associated appurtenances. Conceivably, a number of projects, each consisting of numbers of WTGs anywhere from projects similar to the Wessington Springs project to projects with 2,000 or more individual WTGs and appurtenances, could be constructed within the whooping crane migration corridor. A smaller, although significant number of additional wind energy facilities may be built within the action area, as there is considerable undeveloped land in this area with presumably favorable wind resources. In addition, it is estimated that there are 79,598 miles of transmission and distribution lines within the states that include the whooping crane corridor, with 80,570 miles projected by 2010 (Western 2007).

5.2.1.4 Determination

Based on current information and the potential for avoidance of the Project area by the species during migration, it is unlikely, although possible, that the proposal would result in the direct mortality of a whooping crane. There would be a relatively small permanent loss of suitable stopover habitat. Avoidance of the Project area by whooping cranes could result in indirect effects as described above. Construction of a new 11-mile transmission line and 101 WTGs would result from the proposal; all or portions of the new line will be marked as a voluntary conservation measure. Implementation of the proposal would also contribute incrementally to cumulative impacts to the crane within South Dakota and the migration corridor. With the proposed avoidance, minimization, and voluntary conservation measures in place, it is determined that implementation of the proposal **may affect, is likely to adversely affect** the whooping crane.

5.3 Topeka Shiner

This species was listed by USFWS in December 1998. Critical habitat was designated on July 27, 2004. There is no designated critical habitat in South Dakota (Shearer 2003).

The Topeka shiner is a small pool dwelling minnow that is found in prairie streams of the lower Missouri River Basin and upper Mississippi River Basin. The range of this fish covers eastern South Dakota, southwest Minnesota, eastern Nebraska, Iowa, northern Kansas and Missouri. In South Dakota, the Topeka shiner has been found in about 40 streams in the James River, Big Sioux River and Vermillion River watersheds. The Topeka shiner currently retains its historic distribution and is locally abundant in South Dakota; however, population trends are unclear.

According to the SDDOT website, the species was observed in the Firesteel Creek and the West Branch Firesteel Creek, approximately 25 miles downstream of the Crow Lake Alternative, as recently as 2006 (SDDOT 2006). The eastern portion of the site (within Aurora County) supports the headwaters of three small tributaries to West Branch Firesteel Creek (Figure 3).

5.3.1 Effects of the Action

5.3.1.1 Direct Effects

Direct effects to the Topeka shiner would not occur; no stream crossings are proposed to tributaries to West Branch Firesteel Creek. Further, there would be no water withdrawals from this watershed for construction, operation or maintenance activities.

5.3.1.2 Indirect Effects

Indirect impacts, such as sedimentation resulting from WTG and access road construction, would be precluded through the implementation of the BMPs and APMs included in the DEIS. The nearest known population is 25 miles downstream, so Topeka Shiners would not be affected by the SDPW Project.

5.3.1.3 Cumulative Effects

Implementation of the proposal would have no direct or indirect effects on the Topeka Shiner and would not contribute to cumulative effects to this species.

5.3.1.4 Determination

Based on the preceding discussion, it is determined that implementation of the proposal will have **no effect** on the Topeka shiner.

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APPENDIX 1 – FIGURES

Figure 1 - Proposed SDPW Project: General Location and Associated Infrastructure

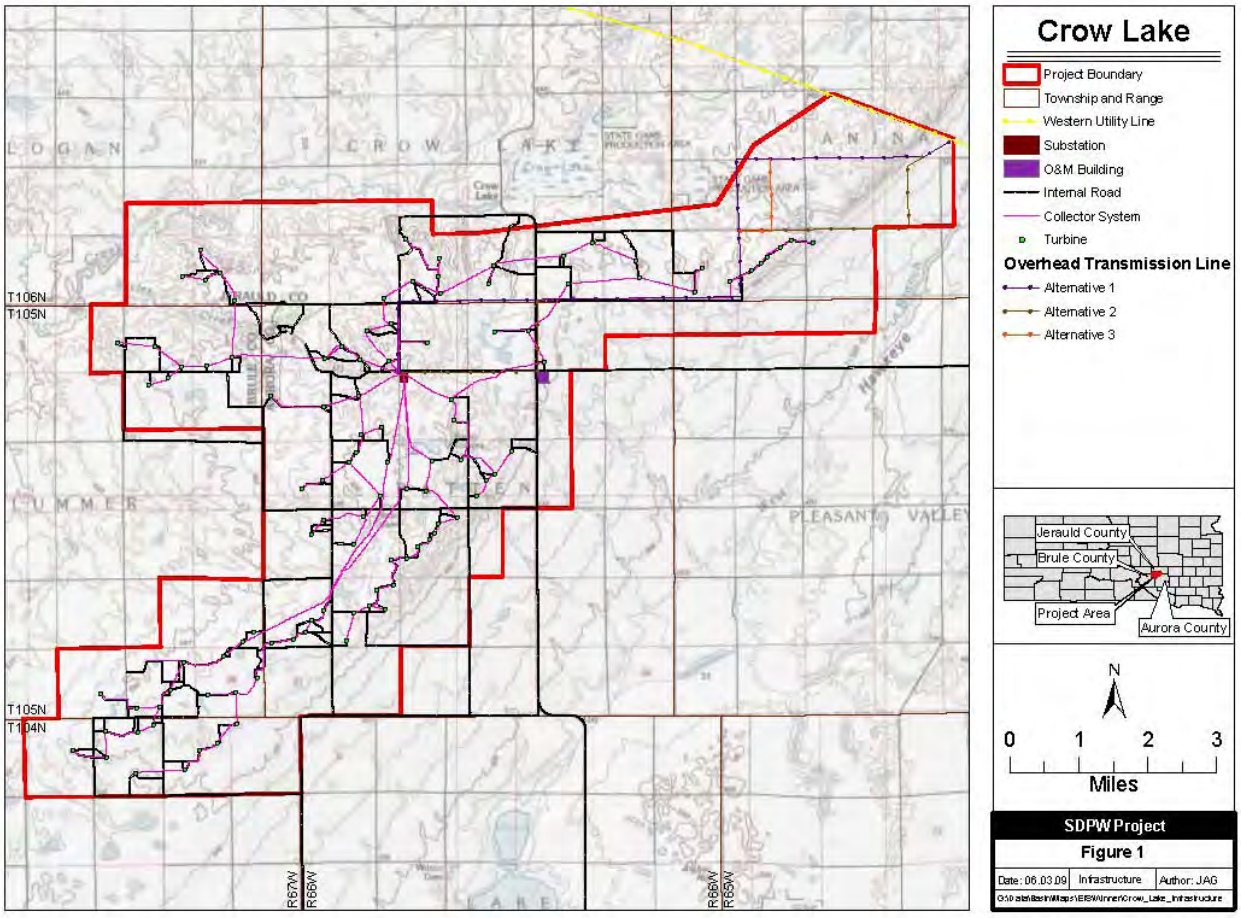


Figure 2 - Proposed SDPW Project: Habitat

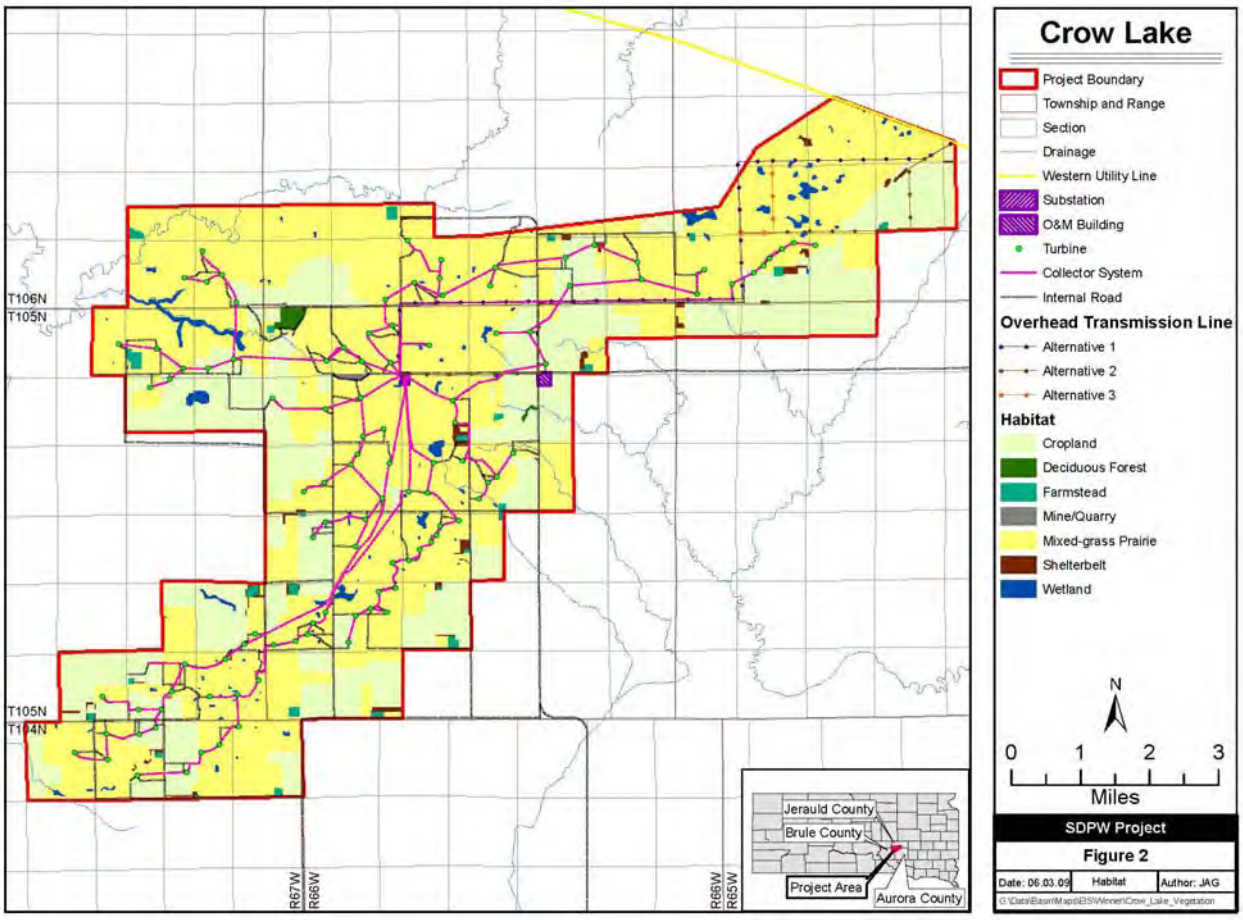


Figure 3 - Proposed SDPW Project: Wetland Density

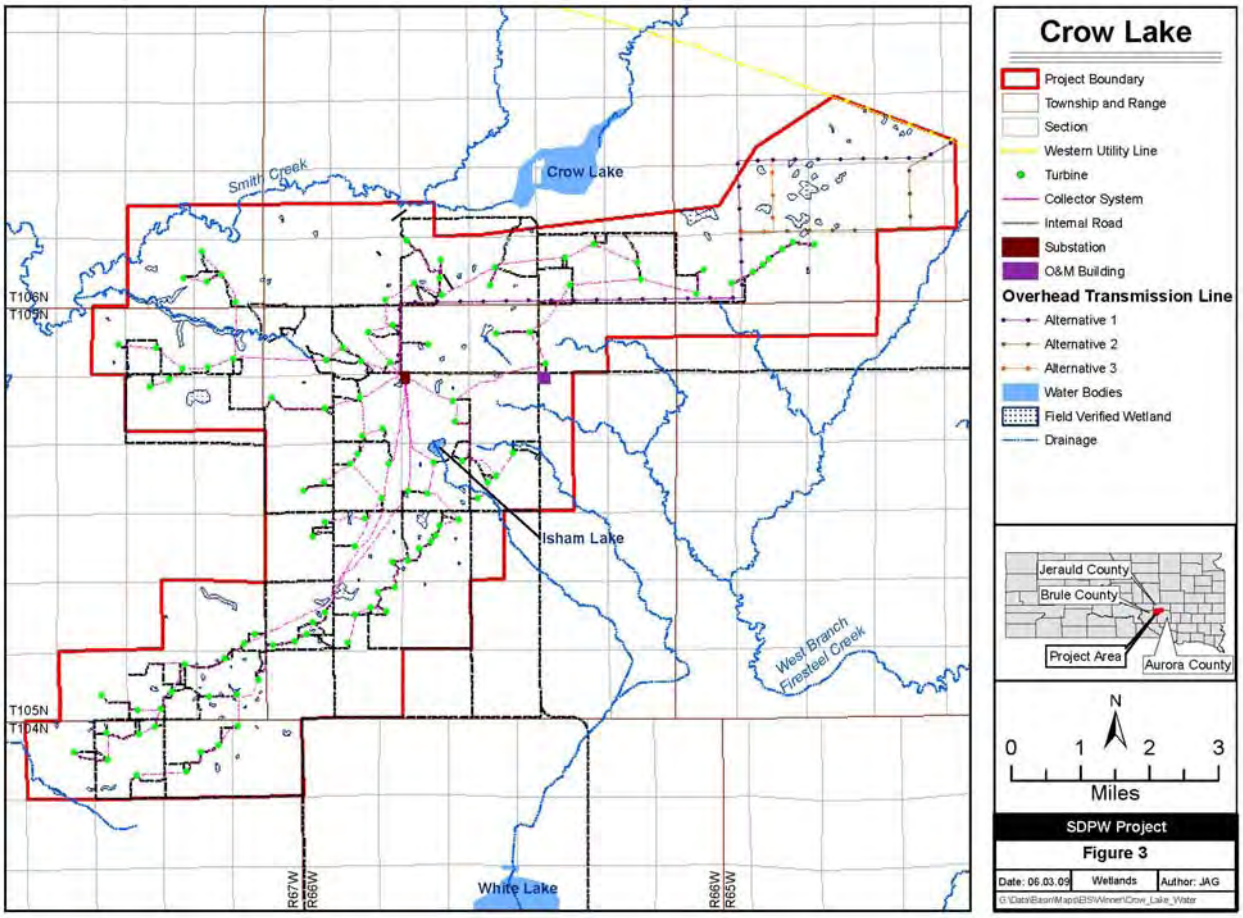


Figure 4 - AWBP Migration Corridor: Whooping Crane Sightings

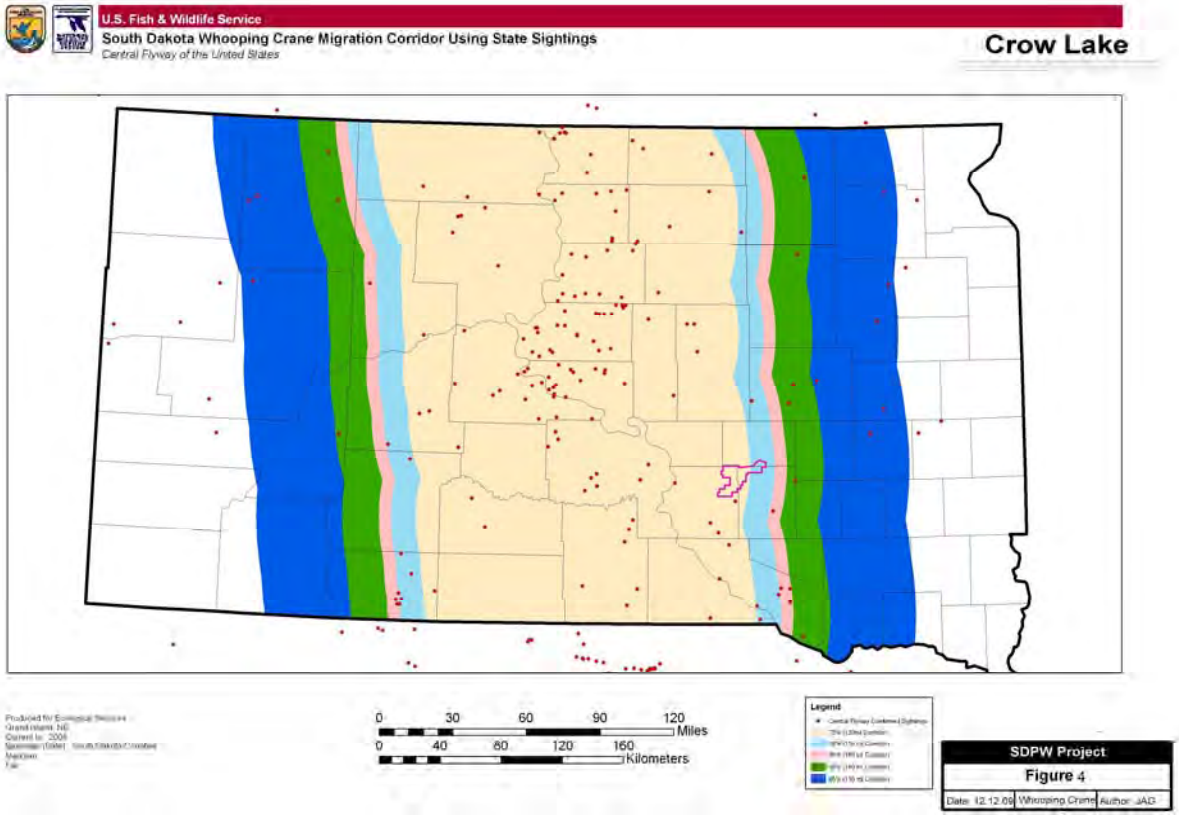
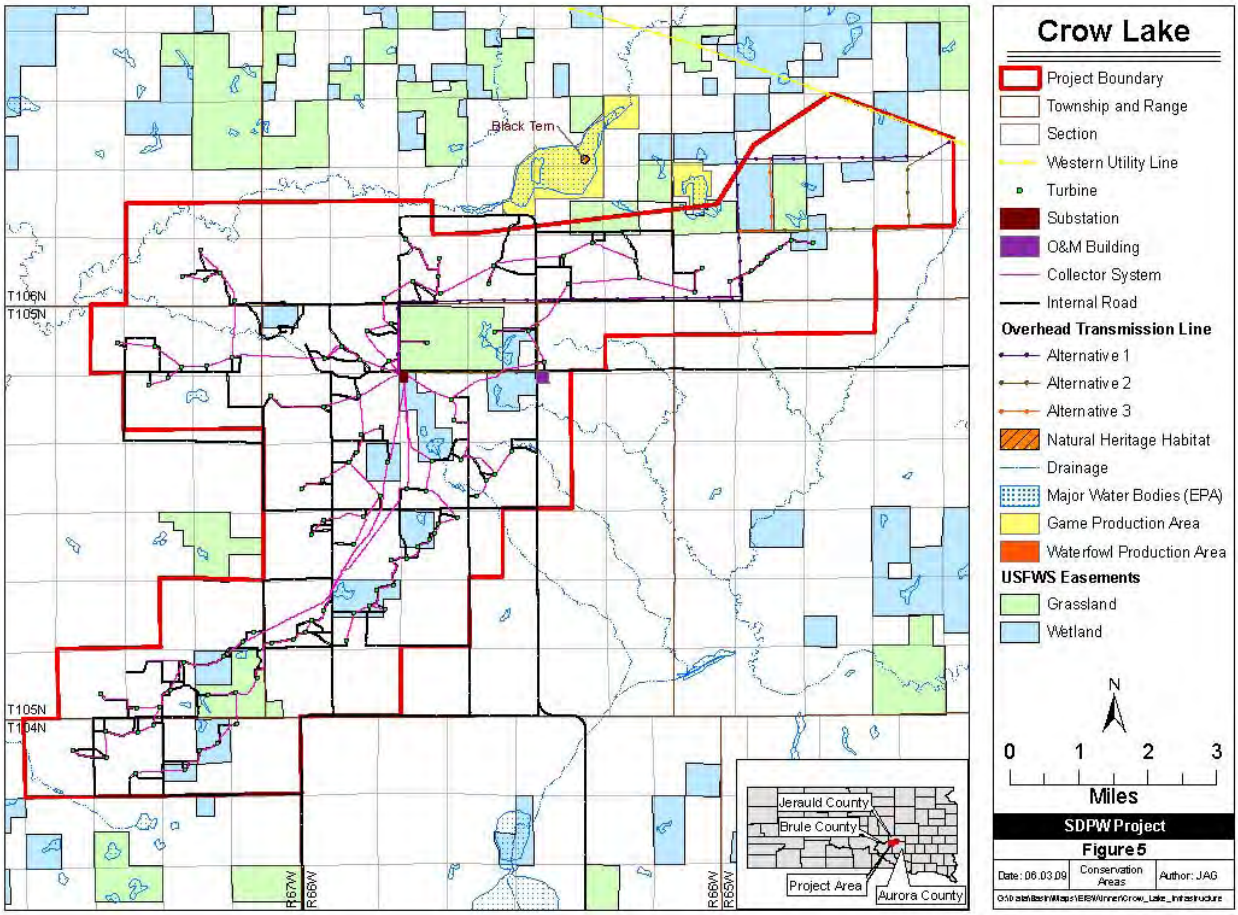


Figure 5 - Proposed SDPW Project: Wetland and Grassland Easements



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
420 South Garfield Avenue, Suite 400
Pierre, South Dakota 57501-5408

March 16, 2010

Mr. Mark S. Plank, Director
USDA Rural Utilities Service
Engineering and Environmental Staff
1400 Independence Avenue, S.W.
Washington, DC 20250-0700

Re: Endangered Species Act Section 7 Consultation, Proposed South Dakota Prairie Winds Facility in Aurora, Brule, and Jerauld Counties, South Dakota

Dear Mr. Plank:

This letter acknowledges the U.S. Fish and Wildlife Service's (Service) February 22, 2010, receipt of your February 18, 2010, letter and Biological Assessment (BA) requesting initiation of formal section 7 consultation under the Endangered Species Act. The consultation concerns the possible effects of the proposed South Dakota Prairie Winds Project on the endangered whooping crane (Grus americana). Two other federally listed species were considered in your letter and BA: the piping plover (Charadrius melodus) and the Topeka shiner (Notropis topeka). We concur with your determination that the project may affect but is not likely to adversely affect the piping plover, and Service concurrence is not required regarding your "no effect" determination regarding the Topeka shiner. Thus, these species are not considered further herein. Finally, we concur with your determination that the project may affect and is likely to adversely affect the whooping crane.

All information required of you to initiate consultation was either included with your letter or is otherwise accessible for our consideration and reference. The December 2009 draft Environmental Impact Statement for this project indicates that appropriate offsetting measures for impacts to migratory birds will be developed to compensate for habitat loss and avoidance. We would like to meet as soon as possible to develop those offsetting measures for migratory birds as these measures could also potentially benefit the whooping crane. This information could be incorporated into the Biological Opinion. We suggest meeting at our office some time during the weeks of either April 5-9 or April 12-16, 2010, to initiate these discussions. We will follow up via electronic mail or by telephone in this regard shortly.

Section 7 allows the Service up to 90 calendar days to conclude formal consultation with your agency and an additional 45 calendar days to prepare our Biological Opinion (unless we mutually agree to an extension). Therefore, we expect to provide you with our Biological Opinion no later than July 7, 2010.

As a reminder, the Endangered Species Act requires that, after initiation of formal consultation, the Federal action agency may not make any irreversible or irretrievable commitment of resources that limits future options. This practice ensures that agency actions do not preclude the formulation or implementation of reasonable and prudent alternatives that avoid jeopardizing the continued existence of endangered or threatened species or destroying or modifying their critical habitats.

If you have any questions or concerns about this consultation or the consultation process in general, please feel free to contact Natalie Gates at (605) 224-8693, Extension 234.

Sincerely,

Scott Larson

Acting For

Pete Gober
Field Supervisor
South Dakota Field Office

Operations and Monitoring Plan
PrairieWinds SD1 Project
Crow Lake, South Dakota

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June 9, 2010

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I. Introduction

This operations and monitoring plan addresses post-construction wildlife monitoring needs identified in the February 2010 Final Biological Assessment (BA) prepared for the Project. Four main areas are addressed in this document: 1) Whooping Crane Monitoring 2) Bird and Bat Fatality Monitoring 3) Grassland Breeding Bird Monitoring and 4) Avian Use Monitoring. The grassland breeding bird monitoring and avian use monitoring are being done as a continuation of efforts started during pre-construction surveys. As such, issues related to possible displacement will be investigated. In addition to the four items discussed in this Plan, prairie grouse lek survey and monitoring will be done post-construction as part of a separate, stand-alone plan.

II. Whooping Crane Monitoring

Crane monitoring will be carried out for three years (three spring and three fall migrations) after the turbines have become commercially operational. However, per the BA (RUS 2010), "*At the end of the three year post-construction whooping crane monitoring period, the USFWS and the Agencies will consult to determine whether additional monitoring is needed and any modifications deemed necessary in the monitoring or operational protocols, such as extending the post-construction whooping crane monitoring period*." Surveys will begin the first migration season after the project is operational (likely spring 2011). Procedures outlined in the Whooping Crane Contingency Plan (USFWS 2006) will be followed for all whooping crane sightings.

II.A. Purpose

The whooping crane monitoring has three main components:

1) To document use of the project area and two-mile buffer surrounding the wind farm by whooping cranes during the spring and fall migration periods, such that turbine operation can be curtailed if whooping cranes are seen in the project area. Turbines within two miles of whooping cranes would be curtailed.
2) To document use of the project area and two-mile buffer surrounding the wind farm by sandhill cranes.
3) To document any mortality of whooping cranes or sandhill cranes.

II.B. Methods and Design

II.B.1. Use of Project Area

Whooping crane use monitoring will be conducted during spring and fall migration periods. Spring surveys will be conducted daily from approximately April 1 to May 15 and fall surveys will be conducted daily from September 10 to October 31; however, the Applicants will rely on real time migration tracking data provided by the USFWS if available. These dates encompass approximately 90% of the documented whooping crane observations in South Dakota.

Two trained biologists will drive public roads and other accessible roads (e.g., turbine roads) within the project area and an approximate two-mile buffer around the turbine locations. If there are suitable roosting or foraging areas not adequately observable from public roads, access across private lands will be sought. Observations will generally occur from sunrise to 10:00 a.m. and from 5:00 p.m. to sunset, or as necessary to adequately cover the search area. During early morning and late evening the biologist will focus on areas of potential roosting habitat (e.g., shallow wetlands and ponds). In the late mornings and early afternoons the observer will focus on potential foraging areas (e.g., croplands, haylands). During inclement weather, additional surveys during the middle of the day may also be conducted. Areas will be scanned with binoculars and/or spotting scope. In addition to the trained biologists, operations personnel will be trained in identification of whooping cranes and sandhill cranes; they will report crane sightings to the biologists. Whooping cranes would be monitored until they leave the area.

All crane observations, GPS/mapped locations, and behaviors will be recorded for both whooping and sandhill cranes. Groups of sandhill cranes will be studied closely for the possible inclusion of one or more whooping cranes migrating with the sandhill cranes. Whooping cranes have been documented migrating as individuals, pairs, family groups, small flocks, and as part of larger sandhill crane flocks. All positive observations of whooping cranes will be closely tracked to determine their movements/behaviors and to report the locations for turbine shut down. If whooping cranes are located on the project site, the U.S. Fish and Wildlife Service, South Dakota Field Office (USFWS) will be notified within 24 hours. USFWS Law Enforcement shall be notified immediately [Brad Merrill (cell phone: 605-280-1712; office; 605-224-9045)].

During movement tracking, the biologist will maintain maximum distance from the whooping crane to avoid flushing the bird(s) into potential collision situations. A general rule is to maintain 2000 feet of separation if in open country or to screen the areas between the crane(s) and observer with a hill, trees, etc. if this 2000 foot distance cannot be maintained.

II.B.2. Turbine shutdown

If a whooping crane is observed within 2 miles or less of a turbine(s), the observer will immediately contact the site manager and/or operational personnel for the immediate shutdown of turbines within 2 miles of the bird or birds; the exact procedures and protocol to be followed for notifications and chain of command will be established by Basin Electric Power Cooperative, and all operational personnel will be trained-in/familiarized with the protocol. Any whooping cranes detected will be monitored/observed and behaviors in relation to the wind turbines will be documented. In coordination with the USFWS, turbine operations may resume after whooping cranes are confirmed to have left the wind farm area.

II.B.3. Whooping Crane Fatality Monitoring

Each turbine will be checked once daily for whooping and sandhill crane fatalities. The daily checks will include a complete visual inspection of the structures out to 100 m around each turbine, considered sufficient to locate these large birds. No set spacing of transects or time will be made as the amount of time necessary at each turbine will be dictated by the terrain. In flat

terrain with heavily grazed grass, a check of only a few minutes may be needed. In areas with a ridges, taller grass, etc. additional time will be needed to sufficiently inspect the area.

If a dead or injured crane is found, the bird will be left in place and both the South Dakota Field Office [(605) 224-8693] and USFWS Law Enforcement Staff [Brad Merrill (cell phone: 605-280-1712; office; 605-224-9045)] will be contacted immediately. Procedures outlined in the Whooping Crane Contingency Plan (USFWS 2006) and the BA (RUS 2010) will be followed for all whooping crane injuries or fatalities.

II.C. Reporting

Observation and behavioral reports will be forwarded to the South Dakota Field Office, with copies to RUS and Western, by December 31 each monitoring year. These reports will document time and effort used in evaluating whooping crane and sandhill crane use of the project area. This report will contain general maps of the routes driven, days surveyed, and observations made. The number of whooping/sandhill cranes identified during the monitoring will be clearly identified in the report, and maps of whooping crane/sandhill crane use locations will be included.

II.D. Whooping Crane Identification Training during Construction

In addition to the whooping crane monitoring during the first three years of operations, WEST will also participate in training of construction personnel in regards to identifying whooping cranes. This training will be done if construction occurs during the spring or fall migration period and will include both identification methods as well as how construction personnel should report suspected whooping crane observations. Details on the measures that will be implemented during construction are included in the Biological Assessment (BA) (RUS 2010). Procedures for avoiding harassment of cranes outlined in the Whooping Crane Contingency Plan (USFWS 2006) will also be followed.

III. BIRD AND BAT FATALITY MONITORING

This portion of the operations and monitoring effort will continue for three years after the turbines have become commercially operational and all testing has been completed. Surveys will likely begin in spring 2011.

III.A. PURPOSE

The fatality monitoring has three main objectives:

1) To estimate annual bird and bat fatalities attributable to the facility, such that the fatality rate can be compared to other projects regionally and nationally to determine the Project's relative fatality rate.
2) To determine species composition of bird and bat fatalities.
3) To evaluate spatial and temporal patterns of fatalities.

III.B. METHODS AND DESIGN

This fatality monitoring protocol is similar to protocols used at other wind energy facilities in similar habitats across the country. The methods will include standard, regular carcass searching to locate carcasses at turbines in a systematic fashion, as well as carcass removal trials and searcher efficiency trials to provide a corrected estimate of total fatalities. If it is found that fatality rates are greatly exceeding other regional projects investigated with similar methods (e.g., Buffalo Ridge, MN; Wessington Springs, SD), the survey effort would be re-evaluated to more appropriately investigate potential causes of mortality.

III.B.1. Standardized Carcass Searches

Twice Monthly Searches

Fatality monitoring will begin the season (as defined below) after all turbines are constructed and commercially operational (i.e., after testing). Consistent with sampling approaches at other wind facilities, approximately one-half of the turbines (50 of 101 turbines) will be searched once every 14 days during the spring migration (March 15 – May 15), summer breeding season (May 16 – August 15), and fall migration (August 16 – November 1) and once per month during the winter (November 1-March 15) for three years post-construction. Square search plots will be centered on each turbine and met tower, with the minimum distance searched in any direction equal to 100 m. Transects will be walked 10 m apart within each plot to sample the area under the structure (Figure 1). A technician trained in proper search techniques will walk at a rate of approximately 45-60 meters per minute (e.g., normal walking rates) along each transect searching both sides for casualties. Search area and speed may be adjusted by habitat type after evaluation of the first searcher efficiency trial. When a carcass or feather spot is located, the perpendicular distance from the transect to the carcass will be measured and recorded. All fatalities documented will be attributed to the facility (i.e., no reference area will be searched) unless another cause is positively determined (e.g., gunshot). This search method is an example of a standard practice used in the Midwest and elsewhere. Specifically this method was or is used at the Ainsworth Facility in the Nebraska Sandhills, Wessington Springs (adjacent to the proposed SDPW project), and the PrairieWinds North Dakota Project. It is also very similar to the protocol used at the Buffalo Ridge, Minnesota Project.

Data Recording

The condition of each carcass found will be recorded using the following condition categories:

- Intact – a carcass that is completely intact, is not badly decomposed, and shows no sign of being fed upon by a predator or scavenger;
- Scavenged – an entire carcass, which shows signs of being fed upon by a predator or scavenger, or a portion(s) of a carcass in one location (e.g., wings, skeletal remains, legs, pieces of skin, etc.);
- Feather Spot - 10 or more feathers at one location indicating predation or scavenging.

All carcasses found will be labeled with a unique number, bagged and frozen for future reference and possible necropsy. A copy of the data sheet for each carcass will be maintained, bagged and frozen with the carcass at all times. For all casualties found, data recorded will include species, sex and age when possible, date and time collected, GPS location, condition (e.g., intact,

scavenged, feather spot), site-specific habitat descriptions, and any comments that may indicate cause of death. All casualties located will be photographed as found and mapped on a detailed map of the study area showing the location of the wind turbines and any associated structures.

Dead or injured birds/bats found outside the formal search area by carcass search technicians but within 150 m of a wind turbine or other project facility will be processed according to the preceding protocol as closely as possible. Dead or injured birds/bats found within 150 m of a wind turbine or related facility by maintenance personnel and others not conducting the formal searches will also be documented. Any carcass found within the standardized carcass search areas (i.e., within turbine search area), but not during a scheduled search will be recorded, but will be left undisturbed unless it is a state or federal endangered, threatened or otherwise protected species so as not to disrupt the scheduled search efforts (i.e., removing carcasses before scheduled searchers have an opportunity to find them could bias estimated fatality rates).

Collection of migratory birds and state or federal endangered, threatened, or protected species will be coordinated with the USFWS and all required collection permits will be obtained from the Service and state agencies. When non-study personnel discover carcasses or injured animals, a photograph will be taken, and the Project Coordinator or Biologists will be notified to identify the specimen. Personnel involved in searches will receive training prior to working on the project. Dead or injured birds/bats found in non-search areas will be treated as incidental discoveries, and any injured native birds found will be handled according to state and federal permits. Annual reports will be made available to Basin Electric Power Cooperative and appropriate agencies, including the USFWS.

III.B.2. Carcass Removal Trials

For this study, carcass removal is defined to include removal by predation or scavenging, or removal by any other means, such as being plowed into a field. Estimates of carcass removal will be used to adjust counts of carcasses found during systematic searches for removal bias. Carcass removal studies will be conducted once during each season near, but outside, the carcass search plots (e.g., near turbines not included in the searches). While carcass removal trials will be conducted during spring migration (March 15 - May 15); breeding season (May 16-August 15); fall migration (August 16-November 1); and winter (November 1-March 15), the timing within these periods may vary. Carcasses will be planted randomly within the carcass removal trial plots, which will be located outside the carcass search areas to avoid confusing trial carcasses with actual turbine-related fatalities.

Each season approximately 30 bird carcasses of two size classes (twenty small, and ten medium to large) will be distributed within the carcass removal plots, resulting in a total of approximately 120 trial carcasses used in carcass removal studies for the monitoring year. The entire wind farm is located in native grassland or cropland; both vegetation types will be included in the sampling. Small carcasses (e.g., house sparrows, starlings, commercially available game bird chicks) will simulate passerines. Medium to large birds such as raptors and waterfowl will be simulated by commercially available adult game birds, rock doves, and raptor carcasses provided by agencies. When possible, two starting dates will be used in each season, for a total of 8 potential starting dates for the trials. Although a specific start date is used for a trial to make the logistics more manageable, the trial lasts for a maximum total of 30 days. This should provide data that

incorporate within-season variation due to the effects of varying weather, climatic conditions, farming practices, and scavenger densities. If fresh bat carcasses are available, they will also be used in addition to the bird carcasses.

Carcasses will be checked for a period of 30 days to determine removal rates. They will be checked every day for the first 4 days, and then on days 7, 14, 21, and 30. This schedule may vary depending on weather and coordination with the other survey work. At the end of the 30-day period remaining carcasses will be removed. Experimental carcasses will be marked discreetly (type of marker to be determined) for recognition by searchers and other personnel. Experimental carcasses will be left at the location until the end of the carcass removal trial. The personnel conducting the removal trials will be properly trained.

III.B.3. Searcher Efficiency Trials

Searcher efficiency studies will be conducted in the same survey plots used for carcass searches. One trial will be conducted each season (spring, summer, fall, and winter). If there are multiple individuals conducting carcass searches, each individual will participate in the searcher efficiency trials. Searcher efficiency will be estimated by size of carcass and season. Estimates of searcher efficiency will be used to adjust the number of carcasses found (i.e., correcting for detection bias) during the systematic carcass searches.

Searcher efficiency trials will begin when turbines are commercially operational and actual searches begin. Personnel conducting the searches will typically not know when trials are conducted or the location of the detection carcasses. The time spent searching during the trial days versus non-trial days will be recorded. During each season, approximately 20 small bird carcasses and 10 large bird carcasses will be placed in the search plots, for a total of approximately 120 searcher efficiency trial carcasses for the entire year. Two dates will be used each season for a minimum total of 8 trial dates. An attempt will be made to use several small brown birds during the fall season to simulate bat carcasses. Legally obtained bat carcasses will be used if available.

All carcasses will be placed at random locations within areas being searched prior to the carcass search on the same day. If avian scavengers appear attracted by placement of carcasses, the carcasses will be distributed before dawn. Carcasses will be dropped from waist high, which should simulate a variety of carcass postures.

Each carcass used will be discreetly marked (see scavenger removal studies) so that it can be identified as a study carcass after it is found. The number and location of the detection carcasses found during the carcass search will be recorded. The number of carcasses available for detection during each trial will be determined immediately after the trial by the person responsible for distributing the carcasses.

III.C. ANALYSIS

The estimate of the total number of wind facility-related fatalities is based on:

(1) Observed number of carcasses found during standardized searches for which the cause of death is either unknown or is probably facility-related.

(2) Searcher efficiency expressed as the proportion of planted carcasses found by searchers during the entire survey period.
(3) Non-removal rates expressed as the estimated average probability a carcass is expected to remain in the study area and be available for detection by the searchers during the entire survey period.

Details of statistical analysis formulas are described in Erickson et al. 2004 and Kerns et al. 2005.

The estimated per turbine annual fatality rate (*m*) will be calculated by:

$$m = \frac{\bar{c}}{\hat{\pi}},$$

where *c bar* is the mean observed per turbine fatality rate and $\hat{\pi}$ is an estimate of the probability a carcass is available to be found during a search (not removed by scavengers) and is found (searcher efficiency) If the carcass removal times follow an exponential distribution, $\hat{\pi}$ is calculated by

$$\hat{\pi} = \frac{\bar{t} \cdot p}{I} \cdot \left[\frac{\exp\left(I / \bar{t} \right) - 1}{\exp\left(I / \bar{t} \right) - 1 + p} \right],$$

where *I* is the search interval, *p* is the searcher efficiency rate and *t bar* is the mean removal time. Adjustments to the formula will be made to incorporate the results of the weekly searches with the twice monthly searches.

IV. Avian Use Monitoring

IV.A. Fixed Point Bird Use Surveys

IV.A.1. Purpose

1) To estimate the seasonal, spatial, and temporal use of the study area by birds, in particular raptors.
2) To estimate effects of the wind facility on species using pre- and post-construction collected data.

IV.A.2. Methods

The 20 fixed survey plots utilized in 2009 during the pre-construction surveys will be surveyed during the post-construction survey efforts. The points were selected to survey representative habitats and topography of the study area, while also providing relatively even coverage with minimal overlap of points. Each survey plot is an approximate one-half mile (800-m) radius circle centered on a point. All species of birds observed during fixed point surveys will be recorded, and all large birds observed perched within or flying over the plot will be recorded and mapped. Small birds (e.g., sparrows) within 328 ft (100 m) of the point will be recorded, but will

not be mapped. Observations of birds beyond the half-mile (800-m) radius will also be recorded, but will not be included in the statistical analyses.

Surveys will be conducted weekly from mid-March to mid-May and mid-September to early November. All surveys will be conducted during daylight hours.

IV.B. Breeding Bird Surveys

This portion of the operations and monitoring effort will continue for three years after the turbines have become operational and reclamation efforts have been completed. These efforts will likely begin in spring 2012 to allow time in 2011 for reclamation activities to be completed.

IV.B.1. Purpose

1) Document breeding bird use of the PrairieWinds SD1 Crow Lake wind facility.
2) Investigate disturbance and/or displacement of breeding birds within the facility.
3) Obtain information on disturbance and/or displacement of breeding birds from individual turbines or turbine strings.

IV.B.2. Methods

Surveyors will slowly walk along the same 30 pre-determined line transects (assuming an adequate number intersect actual turbine locations) and record all birds that are observed or heard within 50 meters of either side of the transect line. Surveyors will record observations for 50 meter segments along each transect. The "block" for which birds are recorded by will be 50 meters long (as the surveyor moves along the transect) by 100 meters wide (50 meters either side of the transect). Each transect will be 800 meters long and will include 16 blocks. General habitat categories will be developed and each 50-meter block will be categorized by habitat type.

Raptors and other large birds (e.g., waterfowl, waterbirds) also will be recorded during the survey beyond the 50 meter survey area.

Each of the 30 transects will be surveyed three times during the breeding season (typically May, June and July). Surveys will be conducted from sunrise to 10:00 a.m. All species observed by sight or sound will be recorded during each survey so that a species list by survey period and for the entire project area can be developed.

The study design, based on a before/after-control/impact (BACI design) will facilitate development of species density estimates as well as location/habitat use information that can be analyzed between pre- and post-construction periods, control and impact areas, survey dates, location, etc., using gradient analyses.

V. LITERATURE CITED

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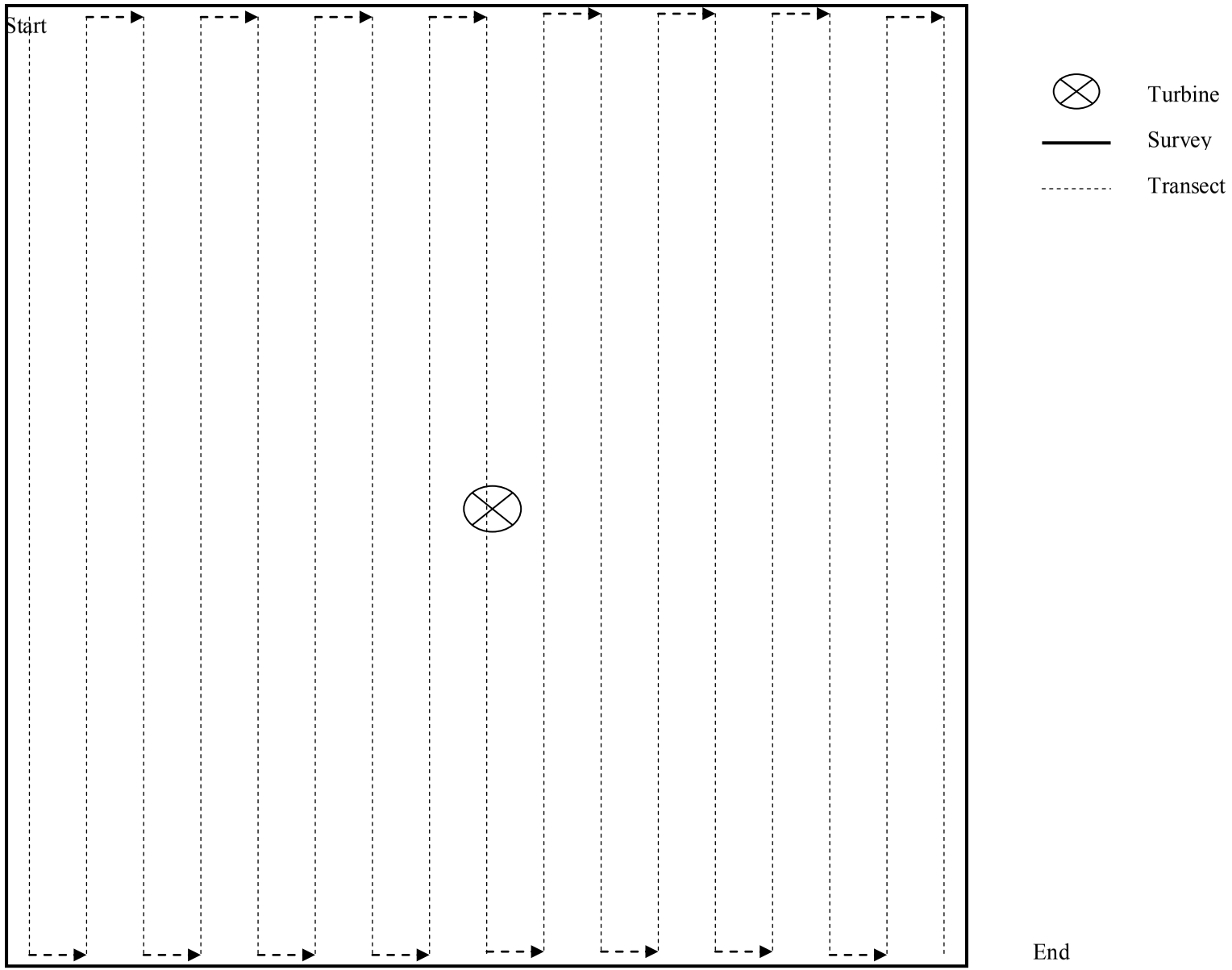

Figure 1. Schematic of survey pattern (not to scale). Transects will be placed 10 m apart.