



December 18, 2013

Ms. Jamie Schrenzel
Minnesota Department of Natural Resources
Division of Ecological and Water Resources
500 Lafayette Road
St. Paul, Minnesota 55155

Re: Responses to Comments from the MDNR for the Bird and Bat Conservation Strategy for the
EDF Renewable Energy Stoneray Wind Project
Burns & McDonnell Project No. 62823

Dear Ms. Schrenzel:

Burns & McDonnell Engineering Company, Inc. (Burns & McDonnell) is providing environmental support services for the EDF Renewable Energy (EDF) proposed 105-megawatt (MW) wind energy facility, the Stoneray Wind Project (Project), to be located in Pipestone and Murray counties in southwestern Minnesota.

For the purpose of continuing coordination with the Minnesota Department of Natural Resources (MDNR) regarding the Project, we are providing responses to the comments (dated December 4, 2013) provided by the MDNR for the Project Bird and Bat Conservation Strategy (BBCS). Each comment provided by the MDNR is included in the order which they were itemized by the MDNR. The response is provided immediately below the comment. Several responses include reference to edited language in the BBCS. A revised version of the BBCS is included in the Enclosures.

MDNR Comments and Project Responses

MDNR Comment:

Page 2-12: States, "Species-specific seasonal construction or BMP requirements will be implemented in coordination with the DNR." This is in regard to Blanding's turtles. The DNR has previously recommended that turbines be constructed within potential Blanding's turtle habitat/nesting areas from November 1 – April 30. Though it is understandable that turtles may not be discussed in a Bird and Bat Conservation Strategy, rare species BMPs for species other than birds and bats should be included in an appropriate portion of the record reviewed prior to issuance of a site permit.

Response:

The language for this section has been edited to reflect the DNR comment above. Additionally, this information was included in the Site Permit Application for a Large Wind Energy Conversion System (LWECS), PUC Docket No. IP-6646/WS-13-216.

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MDNR Comment:

Page 3-7: States, “Additionally, the presence of many existing wind generation facilities nearby and within the Project site in a variety of locations indicates that the bird(s) currently present are adapted or not being disturbed.” No information has been presented to support this statement. This should not be included in the document. Also, there are known bird fatalities from nearby existing turbines, which would indicate adverse effects, at least to individuals.

Response:

This language has been removed from the document.

MDNR Comment:

Page 3-9: Discusses bat passes per night. A correction letter was sent by the Project developer regarding this information dated November 25, 2013. Information from the correction letter should be added to the BBCS to address what could be otherwise confusing results.

Response:

The language has been edited in the document to reflect this DNR comment and coincide with the correction letter dated November 25, 2013.

MDNR Comment:

Table 2-2: This table seems incomplete and outdated. The species list is not consistent with the text through the document. The northern grasshopper mouse is state-listed as special concern and the plains topminnow is state-listed as threatened.

Response:

The table and language in the document have been updated.

MDNR Comment:

Section 2.2.3.1: The document states that there are four kinds of rare native plant communities within the Project site. Will these communities be avoided? A map showing these communities along with the turbine locations, access roads, and other areas of disturbance would be helpful.

Response:

These areas will be avoided by the Project. The language in the report has been edited to reflect avoidance of these areas. Figures 5 and 6 in Appendix A have been added depicting these areas.

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MDNR Comment:

Section 2.2.3.3: It is stated that the Project developers have consulted with the DNR regarding state protected species. However, there is no apparent record of consultation with the Endangered Species Review Coordinator.

Response:

Appendix B – MDNR Project Correspondence and the license agreement has been added as well as referenced in the document.

MDNR Comment:

Section 2.2.3.4: This section is incorrect. There are seven species of bats known to occur throughout Minnesota. Four of these bats are state-listed as special concern. State-listed species are listed statewide; there are no exclusions for certain counties.

Response:

The language has been edited to reflect the comment above.

MDNR Comment:

Section 2.2.4: The document states that species are reported via MDNR data. Is this referring to the Rare Features Data? If so, the document should list the License Agreement number and the date of the data. No Natural Heritage Review or Natural Heritage Concurrence has been completed for this Project.

Response:

The language has been edited to reflect the MDNR consultations.

MDNR Comment:

Section 3.1.1.2: The greater prairie-chicken is a state-listed species of special concern. It is listed statewide; there are no exclusions for certain counties.

Response:

The language has been edited to reflect the comment above.

MDNR Comment:

Section 3.1.1.3: There are four bats state-listed as special concern. State-listed species are listed statewide; there are no exclusions for certain counties. This section should discuss all four species rather than focusing on only one species.

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Response:

The language has been edited to reflect the comment above.

MDNR Comment:

Section 3.1.1.4: This section discusses a habitat assessment for rare species. Will potential habitat be avoided? Providing a map that shows potential habitat along with turbine locations, access roads, and other areas of disturbance would be helpful for this section.

Response:

The Project will not impact these areas. Figures 5 and 6 in Appendix A have been added to the document to illustrate these areas.

Language in the last paragraph in this section states, “Given Project siting to avoid these areas and the relatively small areas that contain suitable habitat, the Project as currently proposed would provide a low risk for adverse effects to these species.”

MDNR Comment:

Section 3.1.2: “Question III-1: Do field studies indicate that species of concern are present on or likely to use the proposed site?” This section as well as Answer III-4 and III-5, pages 3-15, should reflect the updated state listing of special concern bats in Minnesota. The fatality of a special concern bat would be an adverse effect.

Response:

The language has been edited to incorporate the DNR comment above as well as field studies and analyses completed for the Project.

MDNR Comment:

Section 3.1.2: There are state-listed species likely to be present and that will likely be adversely impacted. Specifically, the four state-listed bats and other state-listed species included in this document should be discussed. Blanding’s turtles should also be addressed in the Project record.

Response:

The language has been edited in this section and associated language throughout the document to reflect this DNR comment and similar comments.

The Project developer has and will continue to employ all means practicable to avoid adverse impacts to protected species. Based on the studies completed, consultations, and Project siting, the Project developer does not believe that Project will result in adverse impacts to protected species.

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MDNR Comment:

Section 4.1.1: Second bullet: Low risk fatality survey methods as described in the most recent draft of wildlife survey protocol should be used for this site. The DNR can provide the most recent draft of the survey protocol.

Response:

The language included reflects this wildlife survey protocol as follows: Recent consultation with the MDNR has indicated the Project area will be a low risk site.

Voluntary avian and bat species fatality surveys will be completed following the protocol developed by the MDNR for low risk sites (MDNR 2012). This includes one field season of post-construction fatality monitoring in addition to the other parameters outlined in “Fatality Monitoring for Low Risk Sites” in the MDNR protocol (2012). These include:

- 1) Minimum of 1 year of searches
- 2) Minimum of one search day per week with a minimum of 3 days of separation between searches
- 3) Minimum number of turbines searched is 10
- 4) Search area of 80 m (160 m per rectangular side) in all cardinal directions from the base of the turbine
- 5) Search time periods covering the peak fatality periods of March 15-June 15 and August 1-October 15
- 6) Searcher efficiency trials using a minimum of 75 placed carcasses
- 7) Scavenger removal trials using a minimum of 50

MDNR Comment:

Section 4.2.1: States, “The Project is not located in a key migratory corridor for birds and bats.” This should be removed from the BBCS because bat migratory corridors are not known in Minnesota.

Response:

The language has been edited to reflect this DNR comment.

MDNR Comment:

Section 4.3.2: Vegetation Clearing and Management states: “Disturbed native prairie habitat will undergo restoration in order to reclaim in.” Are there known impacts proposed to native prairie? If so, these should be described in the Project record in detail. If native prairie is proposed to be impacted, then rare species surveys may be required, a Natural Heritage Review is needed, and a

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Prairie Restoration and Management Plan should be completed. Any impact to native prairie other than MBS Native Plant Communities should be clearly identified.

Response:

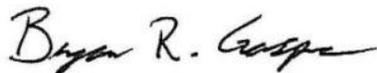
The Project will not impact native prairie. The language has been edited to reflect this siting consideration.

Conclusions

The Project team believes these responses, changes to the document, and addition of figures fulfill the requests described in the MDNR comments. Additionally, based on the studies completed, consultations, and Project siting, we do not believe that Project will result in adverse impacts to protected species.

If you have any questions regarding the responses, please let us know as soon possible. Please contact Bryan Gasper (Biologist) at (816) 349-6770 or bgasper@burnsmcd.com or Justin Bailey (Project Manager) at (816) 822-4311 or jbailey@burnsmcd.com at your convenience. However, for other components of the Project to remain on schedule, we request a response from your office as soon as possible. Additional comments will be addressed as received from other agencies, as applicable.

Sincerely,



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Files

Enclosures